

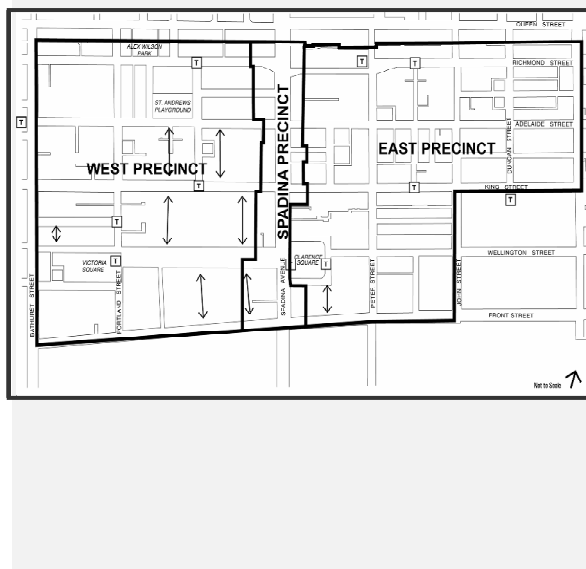
King Spadina East Precinct Built Form Study – Progress Report

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| Date: | August 25, 2009 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 20 – Trinity-Spadina |
| Reference Number: | File No. 09 123346 SPS 20 TM |

SUMMARY

The East Precinct of the King-Spadina Secondary Plan Area, bounded by Front Street West to the south, Richmond Street West to the north, Simcoe Street to the east, and Spadina Avenue to the west, has been experiencing significant growth pressure. While this is evidence of the success of King-Spadina’s regeneration, this pressure is resulting in proposals that considerably exceed the height and intensity of development envisioned by the Official Plan or permitted by the Zoning By-law. These proposals could fundamentally change the character of the area, and, in the absence of an updated planning framework, can lead to inconsistency and unplanned consequences.

The Built Form Study is an assessment of the existing and approved built form within the East Precinct of King-Spadina. Its intent is to comprehensively evaluate the area’s character, and provide specificity to the question of where, and how, additional development can be accommodated in order to protect the features that make the district a distinctive and successful place in the city. The Built Form Study will help ensure that individual proposals are reviewed consistently within the area’s broader physical context, to provide certainty for City Council, future development proponents, and the broader community. It will also help ensure that



new development contributes to the continued intensification of the East Precinct in a way that is appropriate and in the public interest.

Staff have identified several sub-areas within the East Precinct where, subject to appropriate built form criteria that respects heritage character and enhances quality of life, and the provision of appropriate community benefits, additional development can be accommodated. Work is underway to prepare specific guidelines regarding height, built form and performance criteria to guide future development.

This report contains the findings of the Built Form Study, and makes interim recommendations pending the preparation of Secondary Plan and Zoning By-Law Amendments, and updated Urban Design Guidelines. The findings will help to guide the review of existing and new applications within King-Spadina's East Precinct.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council request appropriate staff to continue to process and to prepare final reports for the following applications for Zoning By-Law Amendments, which were put on “hold” pending Council’s consideration of the King-Spadina Built Form Study (refer to Toronto and East York Community Council Decisions TE 17.30 through 17.33 and TE 17.35 at its meeting of July 7, 2008):
 - 60 John Street / 12-18 Mercer Street;
 - 181-199 Richmond Street / 10 Nelson Street;
 - 355 King Street West / 119 Blue Jays Way;
 - 295 Adelaide Street West / 100-104 John Street; and
 - 21-33 Widmer Street / 299 Adelaide Street West.
2. City Council request the Chief Planner and Executive Director, City Planning Division to report to Toronto and East York Community Council on the heritage district potential and scope of work for a Heritage Conservation District Study within the portion of the King-Spadina East Precinct bounded by Simcoe Street, the north side of Richmond Street West, Spadina Avenue, the south side of King Street West to Peter Street, the south side of Mercer Street between Peter and John Street, and the north side of King Street West from John Street to Simcoe Street.
3. City Council request the General Manager, Transportation Services to study and report back to Toronto and East York Community Council on the feasibility, funding and appropriate scope of a more detailed analysis, reporting on implementation impacts of turning Richmond Street and Adelaide Street into two-way streets.

4. City Council request Planning staff to negotiate S. 37 agreements within the King-Spadina East Precinct, where appropriate, to provide funding for Heritage Conservation District studies, subject to the appropriate Official Plan Amendment coming into force and effect, and John Street streetscape improvements, such that funds become available prior to the introduction of Bills in Council.
5. City Council request Planning staff to host a community meeting to review the interim recommendations of this report, and a second community meeting to review draft Secondary Plan and Zoning By-law amendments and draft updated King Spadina Area Urban Design Guidelines.
6. City Council request the Chief Planner and Executive Director, City Planning Division to prepare updated King Spadina Area Urban Design Guidelines, Secondary Plan and Zoning By-law Amendments for the East Precinct to implement the recommendations of the Built Form Study, after the first community meeting.
7. City Council request the Chief Planner and Executive Director, City Planning Division to investigate and report on the appropriateness of a Development Permit System (DPS), and whether the King-Spadina East Precinct would be a suitable pilot project for the application of the DPS.

DECISION HISTORY

At its April 8, 2008 meeting, Toronto and East York Community Council directed the then-Acting Chief Planner and Executive Director, City Planning Division:

- “1. to conduct a built form study for the area bounded by Front Street West, Spadina Avenue, Richmond Street West and Simcoe Street in the King-Spadina Secondary Plan Area, to determine appropriate heights, massing and physical relationships in the context of, but not necessarily limited to the following:
 - a) The public policy goals and objectives of the Official Plan;
 - b) The goals and objectives of the King-Spadina Secondary Plan;
 - c) The emerging “Living Downtown Study” principles;
 - d) The Heritage character of the area including enhancements to the area’s heritage policy framework;
 - e) The maintaining and enhancing of employment opportunities in the area; and,
 - f) The impact on pedestrian safety and the public realm.

2. to hold community consultations with area stakeholders, in consultation with the Ward Councillor, to include residents, landowners, resident and business associations and the development industry; and,
3. to report back to the Toronto and East York Community Council in the third quarter of 2008.”

At the July 7, 2008 meeting of the Toronto and East York Community Council, Community Council’s Decisions TE 17.30 through 17.33 and TE 17.35 directed staff “not to submit Final Reports on development applications in the King-Spadina East Precinct until such a time as the built form review has been considered by Council.” This applied to the following Zoning By-law Amendment Applications:

- 60 John Street / 12-18 Mercer Street
- 181-199 Richmond Street / 10 Nelson Street
- 355 King Street West / 119 Blue Jays Way
- 295 Adelaide Street West / 100-104 John Street
- 21-33 Widmer Street / 299 Adelaide Street West

Staff have been working cooperatively with many of the applicants in the East Precinct, and anticipate reporting on many of these applications. In addition, staff will be preparing detailed guidelines, built form criteria, updated King Spadina Area Urban Design Guidelines, and amendments to the Secondary Plan and Zoning By-law for the entire East Precinct.

ISSUE BACKGROUND

Policy History

In April 1996 (former) Toronto City Council approved Part II Official Plan and Zoning By-law amendments in King-Spadina and King-Parliament (the “Kings”) to encourage reinvestment and regeneration in these historic manufacturing districts directly east and west of the downtown. The Part II Plan for King-Spadina was carried forward as Section 16, Chapter 6 of the new City of Toronto Official Plan.

The major objective of the King-Spadina Plan is to encourage reinvestment in the area for a broad range of uses in a manner that reinforces the historic built form. The Plan objectives are implemented through the Reinvestment Area (RA) zoning that applies to the area, and are supported by urban design guidelines and a community improvement plan. Density limits are not included in the RA zone provisions, rather maximum building heights and various setback and stepback provisions implement built form objectives. The King-Spadina Urban Design Guidelines were adopted by City Council in 1996 and primarily focus on the Plan’s identified ‘areas of special identity’. The King-Spadina Community Improvement Plan was adopted by City Council in 1998 and provides direction regarding investment in the public realm.

Since the approval of the 1996 planning framework, the King-Spadina area has seen significant reinvestment both through new construction and conversion of existing buildings. More recently, there has been ongoing and increasing pressure for development at heights not contemplated by the planning framework. A number of recent studies and policy reviews were undertaken in light of this development pressure, including a comprehensive review in 2006 resulting in Official Plan and Zoning By-law Amendments, which are under appeal to the OMB. Very recently, a Master Plan for the Entertainment District BIA, whose boundaries include the King-Spadina East Precinct area, has been completed. These reviews, studies and plans have re-confirmed the fundamental objectives of the original 1996 King-Spadina Secondary Plan policies. These objectives are:

to accommodate a wide range of uses in the existing historic buildings and in new development;

- to ensure that new development is of a scale and form that complements the historic building stock and structure of the public realm;
- to retain, conserve, rehabilitate, re-use and restore heritage buildings;
- to respect and promote areas of special identity; and
- to maintain and enhance public spaces.

The King Spadina neighbourhood is also included in the list of Potential Heritage Conservation District Study Areas Eligible for Section 37 Community Benefit. The Official Plan Amendment enacting the list is still subject to coming into force and effect but represents adopted Council policy.

Entertainment District BIA Master Plan

The Entertainment District BIA retained The Planning Partnership in spring 2008 to undertake a Master Plan for the BIA area. The boundary of the BIA goes beyond King Spadina's East Precinct, permitting the Master Plan to provide a "bigger picture" to inform the Built Form Study. City staff were involved in the Master Plan development, and worked closely with the BIA and the Planning Partnership to exchange information and collaborate on the study.

The BIA Master Plan was completed in May 2009. Its main recommendations are to protect the area's historic character buildings, mix of uses, and current height patterns; promote area businesses and attractions; and enhance the public realm. Its six key strategies are to:

- Identify five sub-districts with distinct characters; of those five, three are within the East Precinct: 1) the Warehouse Precinct; 2) the King Street Precinct; and 3) the Front Street Precinct (these closely relate to the sub-areas defined by the Built Form Study);

- Envision and re-design the John Street “Cultural Corridor” as a north-south spine and focus, linking all five of the sub-districts;
- Create a network of great walking streets and mews with trees, distinctive paving and active uses;
- Expand the number of animated squares and plazas to provide amenity space, programming, and attractions in themselves, and enhance existing parks and open spaces;
- Protect pockets and ribbons of heritage to maintain the area’s distinction as it continues to intensify; and
- Encourage a high quality and liveable built environment through appropriate massing and relationships of new buildings to the street, to other buildings and to heritage and residential areas.

The Master Plan also recommends redesigning Richmond and Adelaide Streets to increase sidewalk and corner streetscaping space, create a permanent parking lane, and narrow the pavement such that the streets could eventually be converted to two-way traffic if recommended by further study. In addition, the Master Plan contains built form guidelines for: development near heritage resources; guidelines for the base of buildings along sidewalks; guidelines for prominent sites; height and massing; and other considerations such as design and architectural quality, signage and parking.

With regard to height and massing, the Master Plan identifies Low, Mid and High Rise areas:

- Queen Street West and the area immediately surrounding Clarence Square are identified as Low-Rise Areas where mid- or high-rise buildings are inappropriate.
- The Warehouse Precinct and the north side of King Street between Simcoe and John Streets are identified as Mid-Rise Areas, where built form should reinforce the character of the precinct and where point towers are inappropriate as they distract from the area character and threaten the retention of heritage buildings.
- Much of the rest of the Master Plan is identified as a High-Rise area, defined as including buildings higher than 12 storeys, where heights should generally transition down from east to west and massing and design should be consistent with the City’s Tall Building Guidelines.
- Where taller buildings are proposed, they should meet objectives including minimizing shadows on green space, King Street, Queen Street, Spadina Avenue and John Street through appropriate massing and tower separation distances.

- Tall building sites within heritage areas should have frontages of no less than 50 metres to ensure the fit of an appropriate building type; taller components should be subject to a 45 degree angular plane and a benchmark height (with some exceptions if heritage buildings are retained); and typologies such as perimeter block or slab buildings are preferred as they are more compatible with the mid-rise built form of the warehouses.

The Entertainment District BIA Master Plan provides its analysis and recommendations at a higher level than the Built Form Study, but nonetheless provides an important complement to the work undertaken by City staff. While some details of the BIA's Master Plan differ from the direction taken by City staff in this Built Form Study, there is much common ground and many areas of concurrence.

The King-Spadina East Precinct Built Form Study

Many cities are working to revive their former industrial warehouse areas. The “Kings” Planning framework, now thirteen years old, has provided Toronto with great success in revitalizing these former industrial warehouse areas, in particular King-Spadina, which now enjoys a critical mass of residents, workers and visitors. It is interesting to note that many of the gentrified neighbourhoods that are special places and tourist destinations in Toronto and other cities are generally made up of older residential, warehouse and industrial built form.

The fundamental goals of the King-Spadina Secondary Plan – preserving the heritage built form scale and character, accommodating diverse uses and new development, and enhancing the public realm – are not in question. What is required of the Built Form Study is to identify areas where development that exceeds the in-place planning framework could be permitted; provide specific direction for height and massing to allow for appropriate growth; encourage green development, diverse uses and the provision of community benefits; protect the special character of the area; and support its evolution toward becoming a diverse downtown neighbourhood with a high quality of life.

Study Methodology

To undertake this study, staff relied on a number of sources of information and research to develop a cohesive analysis of the evolution of the East Precinct of King-Spadina:

- past reports associated with the study area;
- the Entertainment District BIA Master Plan study;
- an inventory of heritage buildings;
- a survey of existing streetwall heights, building heights, and building typologies;
- analysis of approved and proposed development; and,
- discussion with stakeholders.

The analysis of these sources made clear that King-Spadina’s East Precinct is made up of a number of “sub-areas” or “character areas”.

COMMENTS

Preserving the East Precinct’s Unique Sense of Place

The King-Spadina East Precinct’s vibrancy, success and sense of place is due to a number of distinctive characteristics:

- Its heritage built form, including Queen Street West; the Richmond, Adelaide and Duncan Street “Warehouse District”; portions of King Street (in particular “Theatre Row” on the north side between Simcoe and John Streets and “Restaurant Row” on the south side west of John Street); as well as the terrace houses along Clarence Square.
- Its proximity to the financial core, and the proximity to other areas of the downtown.
- Its mix of employment, entertainment, retail, cultural, and increasingly, residential uses.

The success of the East Precinct and its proximity to the Financial District have also presented challenges. Developments with significant height, much taller than contemplated by the planning framework, are under construction in the East Precinct. The area is experiencing continuing pressure for tall buildings – “height creep” from the Financial District – that threatens to erode the heritage character that the King-Spadina Secondary Plan has sought to protect since 1996. Tall building proposals, if not subject to appropriate performance standards such as minimizing shadow on public spaces; minimizing wind, protecting privacy and sky view; and complementing heritage buildings and streetscapes, have the potential to decrease quality of life and desirability of the King-Spadina area and its rich array of work, culture, shopping, restaurants and entertainment. Continued incremental and uncoordinated development that challenges the height and built form principles of the Secondary Plan has the potential to fundamentally change the area’s special heritage character and scale.

Recent approvals for tall building developments have altered the physical context of the area. The question now is how to integrate new development and allow for continued, appropriate intensification while protecting what’s special about the East Precinct. This calls for an attitude of mutual accommodation, between new built form and old built form, between investment and development and preservation of the area’s scale and character, between entertainment uses and the emerging neighbourhood, and between tall buildings and their shadow, wind and visual impacts. Importantly, it also requires an acknowledgement that the area can accommodate appropriate change, and a shared understanding between developers and City staff, of what’s important to preserve, where

it is appropriate to put tall buildings, where it is appropriate for an iconic building versus one that defers to heritage character.

Character Areas

Staff have identified a number of character areas within the East Precinct (refer to Attachments 2, 3 and 4). Some of the character areas, and some parts of character areas, can potentially accommodate tall buildings, subject to mitigating impacts and providing appropriate massing, tower separation and transition to lower height areas.

A. Queen Street West

All of the properties on Queen Street West between Bathurst Street and University Avenue, with the exception of No.'s 160, 180 & 215 Queen Street West which are located just west of University Avenue, are located in the Queen Street West Heritage Conservation District. The Queen Street West HCD forms the northern boundary of the King-Spadina Plan area. It is an important historic district, vibrant shopping and restaurant destination, and a strong draw for area residents, workers, visitors and tourists. Although it was removed from the Secondary Plan area by By-laws 921-2006 and 922-2006, Queen Street West experiences the impacts of development to the south. Protecting Queen Street West from shadow, wind, and the visual impacts of tall buildings are important objectives for this vibrant pedestrian area. Minimizing shadow is particularly important on the north side of Queen Street West where there are a number of restaurant patios.

Sensitive infill complementary to the heritage character, and scale, and protection from shadow impacts is supported by Council-approved policy and regulations of By-law 979-2007 which designated Queen Street West between University Avenue and Bathurst Street as a Heritage Conservation District and adopted the Heritage Conservation Plan, the angular plane provisions of 12(2)260 of By-law 438-86, and the in-force King-Spadina Plan. The Provincial Policy Statement 2005 (Section 2.6.3) ensures that any proposal for development adjacent to a heritage property or heritage district conserves the heritage attributes of the heritage property or district.

This study does not consider significant height along or adjacent to Queen Street West properties to be appropriate.

B. Warehouse District

The Warehouse District is generally comprised of the Richmond and Adelaide Street corridors and adjacent blocks. The area has many brick and beam buildings that lend a cohesive character to both streets. At the same time, there are many gaps in the streetscape, including surface parking lots. The Warehouse District's mid-rise built form character is one of the special features that make King-Spadina distinctive. Preservation of the heritage character is a fundamental goal of the King-Spadina planning framework, and its importance has been reinforced by all subsequent studies. A number of historic buildings should be listed or designated to ensure their long term protection. A Heritage Conservation District Study may suggest other strategies to strengthen the heritage character of this area. Similarly, exploring the benefits of converting Richmond and

Adelaide to two-way streets can enhance the amenity of this unique part of the East Precinct.

This study acknowledges the Warehouse District's adjacency to the Financial District and recently approved development to the south of the warehouse area at Nelson and Simcoe Streets. The study considers the block between Richmond, Adelaide, Simcoe, and Duncan Streets to be a transitional area where additional height can be accommodated, provided that new development does not negatively impact on the heritage character of Queen Street West HCD or create shadow impacts on the HCD, provides adequate quality of life for residents of the area, and appropriate transition to the brick and beam buildings to the west.

C. King Street Corridor

The King Street Corridor functions as a main street, and is an active and vibrant destination for its theatres and restaurants.

Sensitive infill complementary to the heritage character, and scale, and protection from shadow impacts is supported by Council-approved policy and regulations of the angular plane provisions of 12(2)260 of By-law 438-86, the in-force King-Spadina Secondary Plan, the 2006 King Spadina Area Urban Design Guidelines, and the BIA Master Plan.

The built form of the corridor is variable, and includes a number of sub-areas, some of which can accommodate additional height, as noted below:

- "Theatre Row", on the north side between Simcoe and John Streets, and "Restaurant Row", on the south side west of John Street to just west of Widmer Street, are two distinct areas of heritage character. These intimately-scaled heritage "Rows" are largely intact and have a distinct character that has been a draw to the overall Entertainment District. Heritage Preservation Services Staff are investigating listing eight of the properties within Restaurant Row in the City of Toronto Inventory of Heritage Properties. This study does not consider tall buildings to be appropriate for Theatre Row or Restaurant Row. Tall buildings within the vicinity of these sub-areas will have to be carefully considered in terms of their visual, shadow and wind impacts.
- The TIFF/ Bell Lightbox block bounded by King, John, Adelaide and Widmer Streets is the subject of two tall building applications in addition to the development already under construction. This study acknowledges the opportunity for tall buildings in this block. A charette in June 2008 resulted in achieving 25 m spacing between the three towers and reconfiguration of servicing functions to allow the back lane to become a pleasant pedestrian space. Staff continue to refine heights and floorplates in negotiations with the applicants.
- The Mercer Street block contains a number of heritage buildings and is the subject of four tall building applications. This study acknowledges the opportunity for additional height in this block, given recent approvals that have

altered the physical context. A charette in September 2008 examined podium design, relationship of proposals to each other and to heritage buildings. Staff continue to negotiate with the applicants on appropriate heights and floorplates.

- The area between Widmer Street to Spadina Avenue has historically been low scale with the main exception being the Hyatt (formerly Holiday Inn) hotel. This study acknowledges the opportunity for additional height in this block, given recent approvals on both the north and south sides of King Street that have altered the physical context.

D. Front Street Precinct

The Front Street Precinct borders the Financial District east of John Street, and the Railway Lands to the south of Front Street, both of which are areas of significant height. At the same time, the precinct contains Clarence Square Park and the heritage houses to its north. To the north on Wellington Street are the Soho and Icon developments at heights of generally 12-21 storeys (35 to 64 m). The height of new development along Front Street west of Blue Jays Way has been in the order of 60-80 m.

Protecting Clarence Square from additional shadow, and ensuring development that enhances the amenities of the park, provides appropriate enclosure to the space and complements the scale of the heritage buildings, as well as provides active uses along Front Street and Clarence Square are supported by policies in the in-force King-Spadina Secondary Plan and King Spadina Area Urban Design Guidelines, the 2006 King-Spadina Urban Design Guidelines and the BIA Master Plan. Additional height, subject to certain guidelines and performance criteria, is supported by By-law 921-2006.

This study considers the Front Street Precinct appropriate for additional height. Building heights should transition from John Street to Spadina Avenue, and from Front Street to Clarence Square and Wellington Street, while enhancing the amenity of Clarence Square Park and not introducing any new shadows beyond what the present in-force zoning would generate.

E. Spadina Avenue

The properties fronting the east side of Spadina Avenue are not technically in the East Precinct, however, they form a boundary and transition to the West Precinct. Spadina's wide right-of-way provides opportunities for some additional height on the east side, in keeping with the general downward height trend from the Financial District.

Public Realm

Public realm considerations in the East Precinct, including improvements to streetscapes and pedestrian connections, have largely been considered through a variety of charrettes and new initiatives through the Public Realm Unit. Charrettes have included examining the TIFF / Festival Tower block (June 2008), the Mercer Street block (September 2008), and the recent John Street charette (March 2009). Through these charrettes, staff have been working directly with developers and the Ward Councillor to explore ideas for improvements to lanes, pedestrian connections, open spaces and streetscapes associated

with new developments, as well as exploring relationships between, and improvements to, the developments themselves.

Richmond and Adelaide Streets

Streetscape improvements to Richmond and Adelaide Streets, whether combined with two-way traffic or as stand-alone sidewalk, tree planting or furniture improvements, will assist in improving the pedestrian, cyclist and driver experience of these heritage character streets. An initiative to enlarge and improve the sidewalk on the south side of Richmond Street between Peter and Spadina Streets (next to the building at 401 Richmond) is being studied by the Entertainment District BIA and the Ward Councillor's office.

Nelson Street

New development along Nelson Street between Simcoe and Duncan Streets provides an opportunity to create a "park-like" street in the East Precinct, where open space is needed but difficult to achieve. Staff have developed a preliminary streetscape concept and are working with developers to transform the street from a service lane to a pedestrian-oriented street for local residents. A narrowed road area, while still wide enough to accommodate local traffic, can allow for wider sidewalks, enhanced streetscape, plantings and public art, with grade-related uses such as cafes and markets adding to the animation of the street.

John Street

Staff and the Ward Councillor, in partnership with the Entertainment District BIA, hosted a charrette in March 2009 to explore the possibilities for enhancing John Street in keeping with its status as a Cultural Corridor and important street within King-Spadina. Attendees included developers with projects on or near John Street, staff from Urban Design, Planning, Public Realm Unit, Technical Services and Forestry, and representatives from local resident associations. The BIA is now working in collaboration with City staff and the Councillor's office to further develop the initial ideas of the charrette.

Determining Appropriate Height and Built Form Criteria

The acknowledgement that tall building development may be considered within certain parts of the character areas must be accompanied by carefully considered height limits and built form criteria to ensure that new development complements its context; maintains appropriate tower separation; appropriately showcases and doesn't overwhelm the heritage character; maintains largely intact heritage streetscapes where they exist; and creates appropriate transitions to the Warehouse District, Queen Street West, and the West Precinct.

There are a number of layers in the approach to determining appropriate height limits and built form criteria within King Spadina's East Precinct. The first layer is to recognize that heights currently follow a general pattern of transition downward from the Financial District in the east to Spadina Avenue in the west, and from the Railway Lands in the

south to Queen Street West in the north. These transitions can be imagined as stepped planes that gradually decrease from east to west and south to north (refer to Attachment 5). This is a “macro” layer, providing general direction on the range of heights appropriate within the different character areas of the East Precinct.

The second layer is the more immediate physical context of a site. Within the general downward height trends from east to west and south to north, there will be localized conditions – peaks and valleys – that reflect existing and approved development, existing heritage scale and character, and important public spaces and streets where it will be particularly important to control shadowing and mitigate wind impacts of tall buildings. These contextual factors will be considered when determining the appropriate height and built form of any development proposal within King-Spadina’s East Precinct. In all cases, sites must have minimum dimensions in order for taller buildings to be permitted while preserving appropriate light levels, sky views and privacy.

It is important to note that the TIFF/ Bell Lightbox development was intended as a “beacon” for the area and it should continue to rise above the rest of the development in the East Precinct. Similarly, Metro Hall is a landmark building for the area and its visual prominence should be maintained.

Tall buildings, where appropriate, should do more than simply fall under a prescribed height and minimize shadow, wind and sky view impacts; they should display good urban design and architecture, appropriately meet the street through good podium scale, design and materials, and be sensitive to and acknowledge heritage context. They should also create opportunities for public art, publicly accessible open space and pedestrian connections. These considerations are not new, and exist in the built form policies of the in-force King-Spadina Secondary Plan, the 2006 King Spadina Area Urban Design Guidelines, the City’s Tall Building Guidelines and the Entertainment District BIA Master Plan. Built form has a direct impact on quality of life by influencing the pedestrian experience. The interaction of buildings with the public realm is therefore an important third layer to determining appropriate development within the area.

Finally, the fourth layer of consideration for development in the East Precinct is the provision of community amenities and facilities that are needed in this emerging neighbourhood. Development-provided community benefits, such as publicly accessible open space, affordable housing and housing for families, space for community use, and substantial heritage preservation are some of the features that would enhance the liveability of the King-Spadina area.

Quality of Life for Residents

Over the past decade, the residential population in the East Precinct of King Spadina has increased dramatically. Much of this population growth has been accommodated in the form of tall buildings. The residential population is expected to continue to increase in the future.

It is important to consider the quality of life that the residents of tall buildings have today, as well as in perpetuity. Privacy, access to natural light and reasonable views are important factors that affect living conditions. Residents that live closer to the ground are typically separated from residents in neighbouring podiums by the width of the street and building setbacks. In many instances these units have access to courtyards, streets and a view of the immediate context and public realm. For residents that live above the podiums, it becomes important to understand the impacts of tower placement on their living units. Often, the living spaces in high-rise buildings are not large, however, many of these units offer large windows. The amount of natural light and privacy afforded to a residential unit by adequate tower separation is essential to ensure the liveability of the space.

The City's Tall Buildings Guidelines recommend separation distances of 25 m between towers. Tall development proposals for the East Precinct will continue to be evaluated on this criterion.

STUDY RECOMMENDATIONS

A Two-Tier Approach to Height Permissions

The approach recommended to accommodate areas of additional height in the East Precinct is based on a "First Tier" as-of-right base height, and a "Second Tier" tall building height limit. Reaching the height limits will be dependent on responding to the context and meeting built form criteria outlined in this report and detailed in an amended Secondary Plan, an amended By-law 922-2006, updated King Spadina Area Urban Design Guidelines and in the City's Tall Buildings Guidelines. A limited additional height increase over the specified height limits, provided that built form criteria are met and additional height is appropriate, may be considered.

The basis for this approach rests on the policy objectives that have been reinforced through the various recent studies and reviews of the King-Spadina area and planning framework. The objectives seek to protect the heritage building stock and ensure that new development complements the heritage character; protect public parks and streets from shadow impacts; ensure quality of life for residents; and encourage appropriate mixed use development and intensification.

The approach builds on the "layers" described above – maintaining the general downward height transition westward from University Avenue to Spadina Avenue, and northward from Front Street to Queen Street, recognizing that there are different sub-areas and localized built form contexts within the East Precinct, and ensuring a high quality of urban design, pedestrian experience and community amenities in the area.

First Tier (As-of-Right) Heights

The First Tier of the approach conforms to the recommendations of the 2006 King Spadina Secondary Plan Review Study, which was adopted by Council in September 2006. The existing height limit of 30 m plus 5 m for mechanical, subject to the

mechanical elements being wrapped and contained within a 45 degree angular plane, is recommended to remain in place for the entire East Precinct, and all applications for taller buildings would proceed by way of a rezoning. This maintains the emphasis on the protection of the heritage building stock and scale within the East Precinct. The relatively low scale of the as-of-right height permission also minimizes shadows, wind and loss of sky view, and appropriately frames the areas streets and open spaces.

Second Tier Height

The Second Tier of height permission applies only to the areas identified above as appropriate for additional height. The Second Tier height limits are based on the immediate context of a site within the general downward height transitions from east to west and south to north. The achievement of the Second Tier height would require a development proposal to meet the policy objectives of the King Spadina planning framework as well as the built form standards that apply to any tall building development in the City, including but not limited to:

- Respect for heritage in the immediate context, including podium scale, materiality, proportion and architectural rhythm;
- Preservation of sunlight on parks (Clarence Square Park) and important pedestrian streets (King Street, Queen Street, John Street);
- Conformity with the King-Spadina Built Form Guidelines; and
- Achieving a 25 m tower separation and a maximum 750 sq. m floor plate to address light, view and privacy.

The Second Tier height is beyond the as-of-right height permission, and therefore an appropriate Section 37 contribution, which can include, among other matters and benefits, heritage preservation, streetscape and park improvements, community facilities, and public art, would be expected.

The Second Tier heights are not intended to be incorporated into the Zoning By-law for King Spadina. Instead, new Secondary Plan policies are recommended to define the Second Tier heights, as well as the objectives and criteria that must be met in order to achieve the Second Tier or any additional height. By defining the Second Tier in the Secondary Plan policies only, staff can continue to undertake a detailed review of tall development applications as part of a re-zoning process, to ensure that each new development is appropriate within its context.

Additional Height

The two-tier approach also contemplates the opportunity for some additional height beyond the specified height limits, where appropriate. Any additional height beyond the specified limits would be determined on a case-by-case basis, but is intended to be limited. The ultimate height of any development must continue to respect height transitions east to west and south to north, and the prevailing heights in the immediate context, limitations related to shadows on parks and important streets, as well as meet any

other built form criteria for First or Second Tier heights. Such proposals will be required to provide a level of community benefits beyond that which is typically provided through Section 37 negotiations.

The additional height is not expected to be contemplated for many sites. Staff recognize that there have been some approvals in the past that exceed the maximum heights recommended in this report. In general, these developments occurred on atypically large lots, and/or lots that could accommodate a landmark building satisfying a desired urban design objective, and/or the developments provided extraordinary community benefits. In future, tall building applications beyond the specified height limits will be subject to the considerations outlined in this report.

Applying the Two-Tier Approach to King-Spadina's East Precinct

As noted above, the as-of-right height permission for the King-Spadina East Precinct is recommended to remain at 35 m inclusive of wrapped mechanical elements. This height continues to provide good opportunities for intensification.

Buildings within the areas identified as having potential for increased height can reach the Second Tier height, provided that they meet the policy objectives, standards or criteria identified. Not all building proposals will meet all criteria, so not all development within a Second Tier area will reach the heights permitted by the Secondary Plan. It must be noted that meeting the criteria for the Second Tier height and/or providing community benefits is not intended to permit tall buildings in the areas that are not identified as suitable for more height.

Further, not all of the Second Tier areas are suited for the same magnitude of height increase. The Second Tier height is based on the first three “layers” of considerations for appropriate height and built form: the general transition of height down from east to west and south to north; and the immediate physical context, which creates localized peaks and valleys within the general transition of heights, and considerations related to quality of life, shadow impacts, heritage context and heritage preservation. Heritage Conservation District Studies may suggest that additional restrictions on development are required in certain sensitive heritage areas. Consideration should also be given to the provisions in the Standards and Guidelines for Historic Places in Canada (adopted by Council in March 2008) for development that impacts a listed or designated property under Part IV or Part V of the Ontario Heritage Act. As noted above, Section 37 contributions are expected for development seeking Second Tier heights.

Attachment 6 shows the maximum Second Tier heights considered appropriate within the East Precinct.

A. Queen Street West

As noted above, the majority of Queen Street West, with the exception of a few properties just west of University Avenue, is within a Heritage Conservation District and is subject to an angular plane to minimize shadowing on Queen Street. Any proposed

development within the East Precinct immediately south of this area should have regard for the intent of the Queen Street West Heritage Conservation District Plan.

In order to protect the street from shadow impacts, significant height adjacent to Queen Street West properties is not considered appropriate and height permissions along the south side of Queen Street and north side of Richmond Street should not change. Therefore, this report does not make Second Tier height recommendations for Queen Street West.

B. Warehouse District

The built form character of the Warehouse District is a main feature of King-Spadina and is the character that the Secondary Plan policies seek to preserve.

The recommendation for the majority of the Warehouse District is to maintain the existing height permissions as set out in the 2006 Built Form Review and embodied in By-law 922-2006, which limit the height to 30 m plus 5 m of wrapped mechanical elements subject to an angular plane. The lower-scaled Warehouse District can provide a unique area of “height relief” within the East Precinct, thus maintaining the goal of heritage preservation and providing an appropriate transition to Queen Street West from the taller buildings to the south and east.

New buildings in the Warehouse District should show deference to the heritage character and the existing scale of the streetwall. Reinforcing the sense of a coherent streetwall at an appropriate height is fundamental to maintaining the East Precinct’s sense of place. The design of the podium or lower floors of any new development, and the podium’s relationship to the existing context in this area, will be important considerations for any new development proposals.

B.1 Simcoe-Richmond-Duncan-Adelaide Block

The Built Form Study recognizes the proximity of this block to the tall development approved in the Financial District, and in its vicinity. Recent and past approvals include the Shangri-La at 188 University at 210 m; the Boutique condominium at 126 Simcoe Street at 106.5 m; the development at 140 Simcoe Street at 53 m; and 168 Simcoe Street at 48 m. These heights respect the downward transition of heights westward and northward, and preserve sunlight on Queen Street.

The maximum Second Tier heights considered appropriate for this sub-area range from approximately 105 m between Adelaide and the south of Richmond Streets, adjacent to the Shangri-La and Boutique developments, to approximately 65 m on the north side of Richmond Street. These heights ensure that sunlight is preserved on the north side of Queen Street after 11 a.m., which is important for lunchtime and afternoon pedestrian activity on the street. Podiums should relate to the heritage scale and character within the area, particularly given the relatively intact warehouse-form streetscape along Duncan Street.

C. King Street Corridor

New development along King Street should reinforce and protect the pockets of intact heritage streetscape, and minimize shadow, wind and sky view impacts on King Street. It is important to minimize shadowing on both sides of King Street, in order to maintain a sense of space and sky view for this important pedestrian street. Tall buildings that are too closely spaced, even with slim floor plates, can result in continuous shadows on King Street.

C.1 Theatre Row and Restaurant Row

Theatre Row and Restaurant Row are examples of substantially intact heritage and pedestrian-scaled streetscapes in the East Precinct and are not appropriate locations for tall buildings. As noted above, Heritage Preservation Services staff are investigating listing eight buildings within Restaurant Row in the City's Inventory of Heritage properties. Therefore, this report does not make Second Tier height recommendations for Theatre Row and Restaurant Row.

C.2 TIFF/ Bell Lightbox Block

This block contains three development sites, including TIFF / Bell Lightbox, which is intended to be the highest building in King-Spadina, at 157 m. This block is bordered by the Warehouse District to the north and east, and the Hyatt Hotel to the west, which is 75 m in height.

The maximum Second Tier heights considered appropriate for this sub area are approximately 115 m, to allow the continued prominence of the TIFF/ Bell Lightbox building and to recognize the block as a landmark area within the East Precinct. Two current development proposals within this block, at 21-31 Widmer/299 Adelaide Street and at 295 Adelaide/100-104 John Street, will complete the block, and are expected to achieve heights taller than the Second Tier because of the block's landmark status and because of significant public benefits being offered as part of the developments.

C.3 Mercer Street Block

This sub-area is adjacent to low-rise heritage Restaurant Row to the north, Metro Hall (120 m) to the east, the Jefferson at 50 John Street (66 m) and the Icon development (64 m) to the south. It also contains a number of listed and designated heritage buildings.

The maximum Second Tier height considered appropriate for this area ranges from approximately 115 m from John Street to mid-block, and 90 m from mid-block to Blue Jays Way. These heights recognize the proximity of the Financial District and Metro Hall while maintaining the general downward height transition to the west. Building massing will require careful consideration to ensure that Restaurant Row is not overwhelmed and its intimate scale is not compromised, and that sunlight and sky view are preserved. Tall buildings must be adequately spaced and height set back as far as possible from King Street. Podiums should relate to the heritage scale and character within the area.

C.4 Widmer Street to Spadina Avenue Area

This area is adjacent to the Mercer Street Block and includes the 75 m Hyatt Hotel, the 50 m Hilton Garden Inn at 92 Peter Street, as well as the 119 m OMB-approved development at 371-375 King Street West, the 123 m development at 430 King Street West and the 53 m development at 24 Charlotte Street. It is adjacent to the Soho (50 m) development to the south and the Hudson development (69 m) to the west. The Built Form Study acknowledges this higher physical context; however, tall buildings in this area must be adequately spaced, with height set back from King Street as much as possible in order to preserve sunlight and sky view.

The maximum Second Tier height considered appropriate for this area is in the order of 90 m. This provides a transition in height to Spadina Avenue and the Warehouse Precinct to the north, as well as to the mid-rise development to the south, and to Clarence Square and its adjacent heritage terrace houses.

D. Front Street Precinct

The surrounding context of this area includes significant height, including the RBC Centre (183 m) and Ritz-Carlton (208 m) developments in the Financial District to the east, and the heights of the Railway Lands to the south. The area includes the 300 Front Street West development at 157 m, the development at 340 Front Street at 74 m, and the recently approved 81.5 m tall development at 352 Front Street. The area is adjacent to the Icon (64 m) and Soho (50 m) developments north of Wellington Street, and to Clarence Square Park to the west.

The maximum Second Tier height considered appropriate for this area ranges from approximately 115 m from John Street to Windsor Street, and 90 m west of Windsor Street to Clarence Square. These are continuous with the Second Tier heights for the TIFF/ Bell Lightbox block, Mercer Street, and Peter Street to Spadina Avenue areas of the King Street Precinct. This is consistent with the recommendations of the 2006 King-Spadina Secondary Plan Review, which noted the potential for increased height in the southwest quadrant of the East Precinct, however, this study expands the area considerably given the recent changes to the surrounding context. The massing and height of development must ensure that Clarence Square Park, the only neighbourhood park in the east Precinct, is not impacted by new shadows beyond those likely to result from current as-of-right development.

E. Spadina Avenue

The east side of Spadina Avenue includes the District Lofts at 400 Richmond Street West (42 m) and the Hudson development at 438 King Street West (69 m).

The maximum Second Tier height considered appropriate for this area is approximately 65 m, which can serve as a transition between the adjacent 90 m height recommended for the Widmer to Spadina area and the 30 m high permissions in the West Precinct.

Piloting the Development Permit System (DPS)

Planning in King-Spadina has a history of innovation. The Development Permit System (DPS) provides a new tool for streamlining the approval process. It is based on a clear framework of policies and standards, and allows for both as-of-right development and discretionary development subject to certain defined criteria. This generally mirrors the tiered approach to building height discussed in this report.

Further work is required to fully research the appropriateness of the DPS and its possible use in the King-Spadina East Precinct. The system requires an Official Plan Amendment and Development Permit By-law to be passed, which set out the policy goals, development criteria and conditions for approval in detail.

Next Steps

Additional steps are required to implement the recommendations of this report, including:

- Defining the performance criteria and built form standards for achieving the recommended height permissions;
- Revisions to the King-Spadina Secondary Plan to include new policies regarding Second Tier and Additional Heights, and criteria required to achieve these development permissions;
- Revisions to Zoning By-law 922-2006;
- Updates to the King Spadina Area Urban Design Guidelines;
- Further Research on the Development Permit System;
- Investigation of the area's heritage district potential and scope of a Heritage Conservation District study for the East Precinct;
- Studies for the Richmond-Adelaide corridor;
- Continued work on the John Street and Nelson Street initiatives.

Staff anticipate that amendments to the King-Spadina Secondary Plan and Zoning By-law 922-2006, and updated Urban Design Guidelines, can be completed in the first quarter of 2010. Further research on the Development Permit System should not hold up implementation of an updated Secondary Plan, Zoning By-law or Urban Design Guidelines for the East Precinct.

The results of this study are intended to guide the review of existing and new development applications within the East Precinct. In July 2008, Final Reports for a number of applications were put "on hold" pending the outcome of the Built Form Study. Staff have been working cooperatively with many of the applicants in the East Precinct,

and anticipate preparing detailed guidelines and built form criteria for the East Precinct concurrently with processing and negotiating the applications that are waiting for the study's completion.

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SIGNATURE

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ATTACHMENTS

Attachment 1: King Spadina Precinct Key Map

Attachment 2: Heritage Built Form

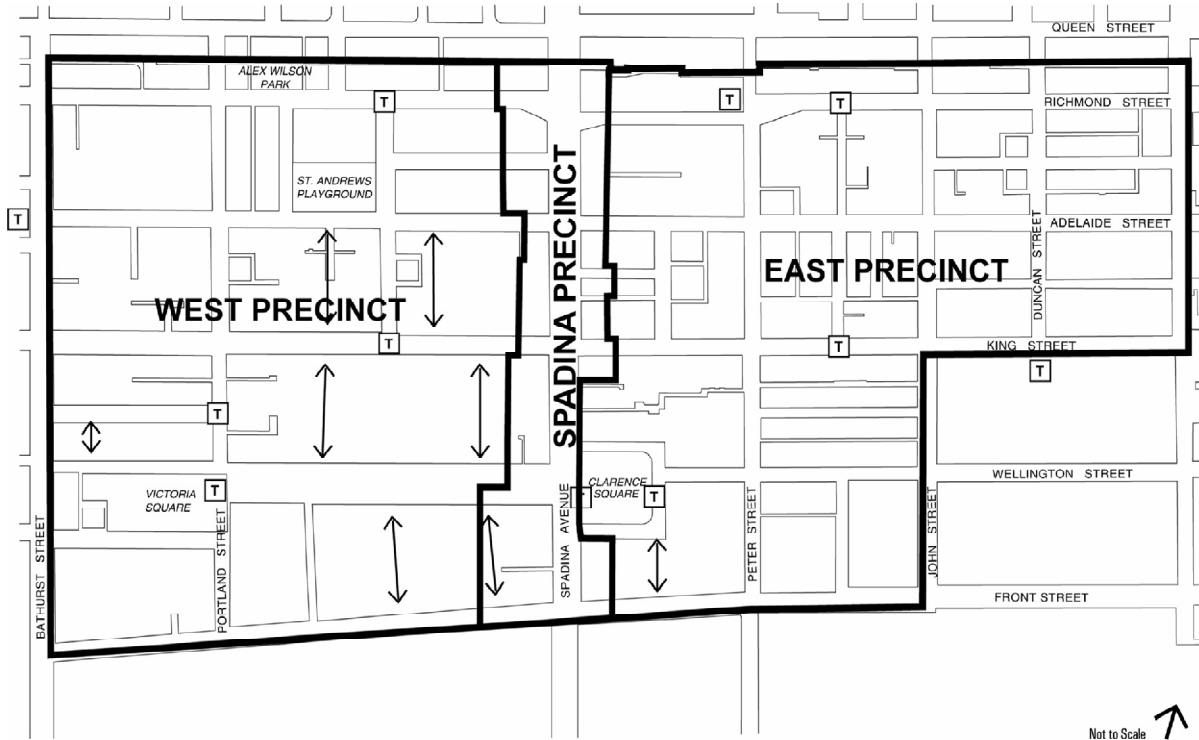
Attachment 3: East Precinct Character Areas

Attachment 4: Images of Areas Contributing to Heritage Character

Attachment 5: General Height Transitions with Second Tier Height Overlay

Attachment 6: Proposed Second Tier Height Areas

Attachment 1: King Spadina Precinct Key Map

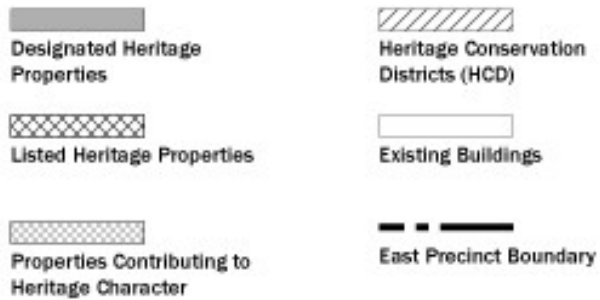
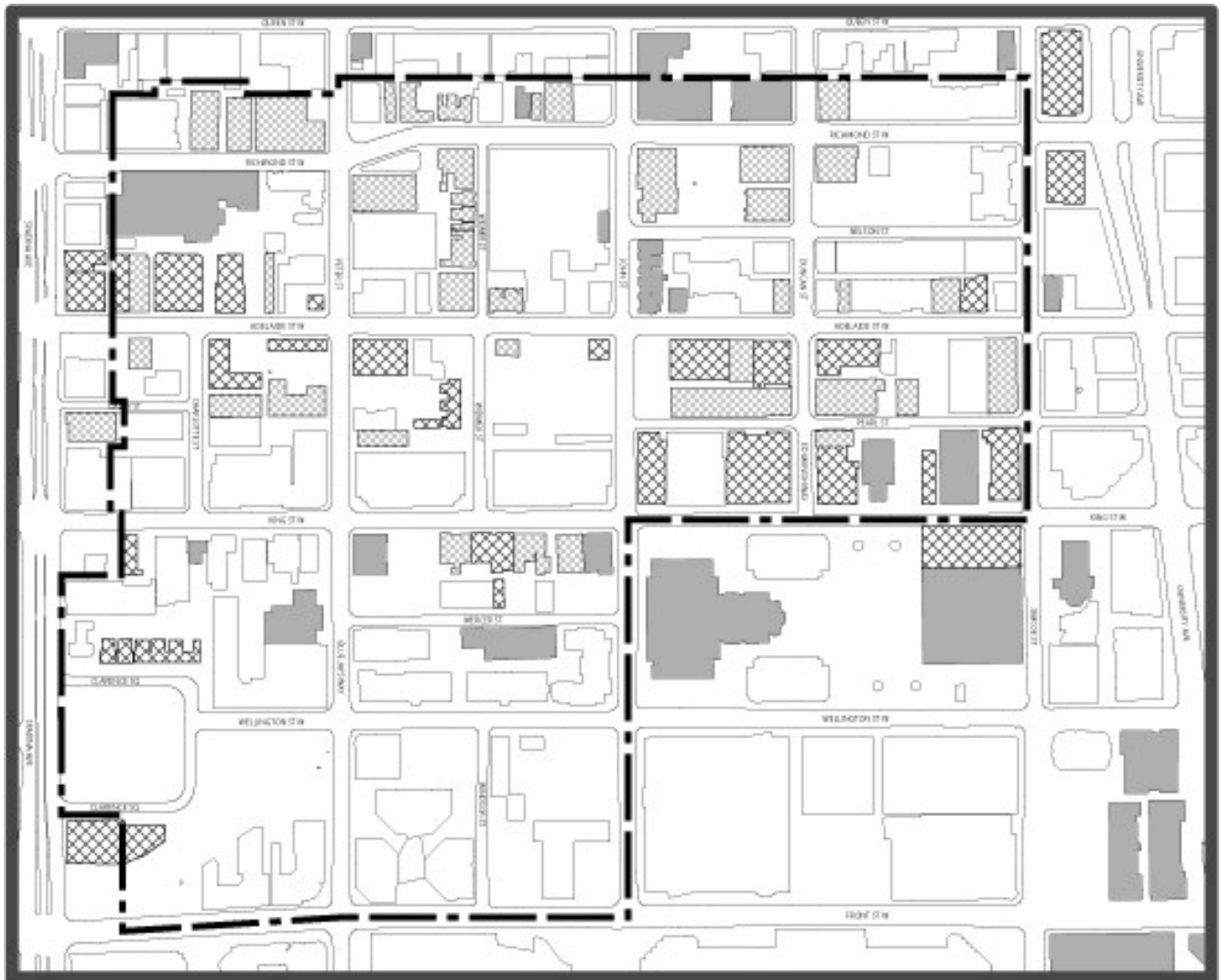


Official Plan Amendment No. 2 for King-Spadina Secondary Plan
 MAP 16-1 Urban Structure Plan

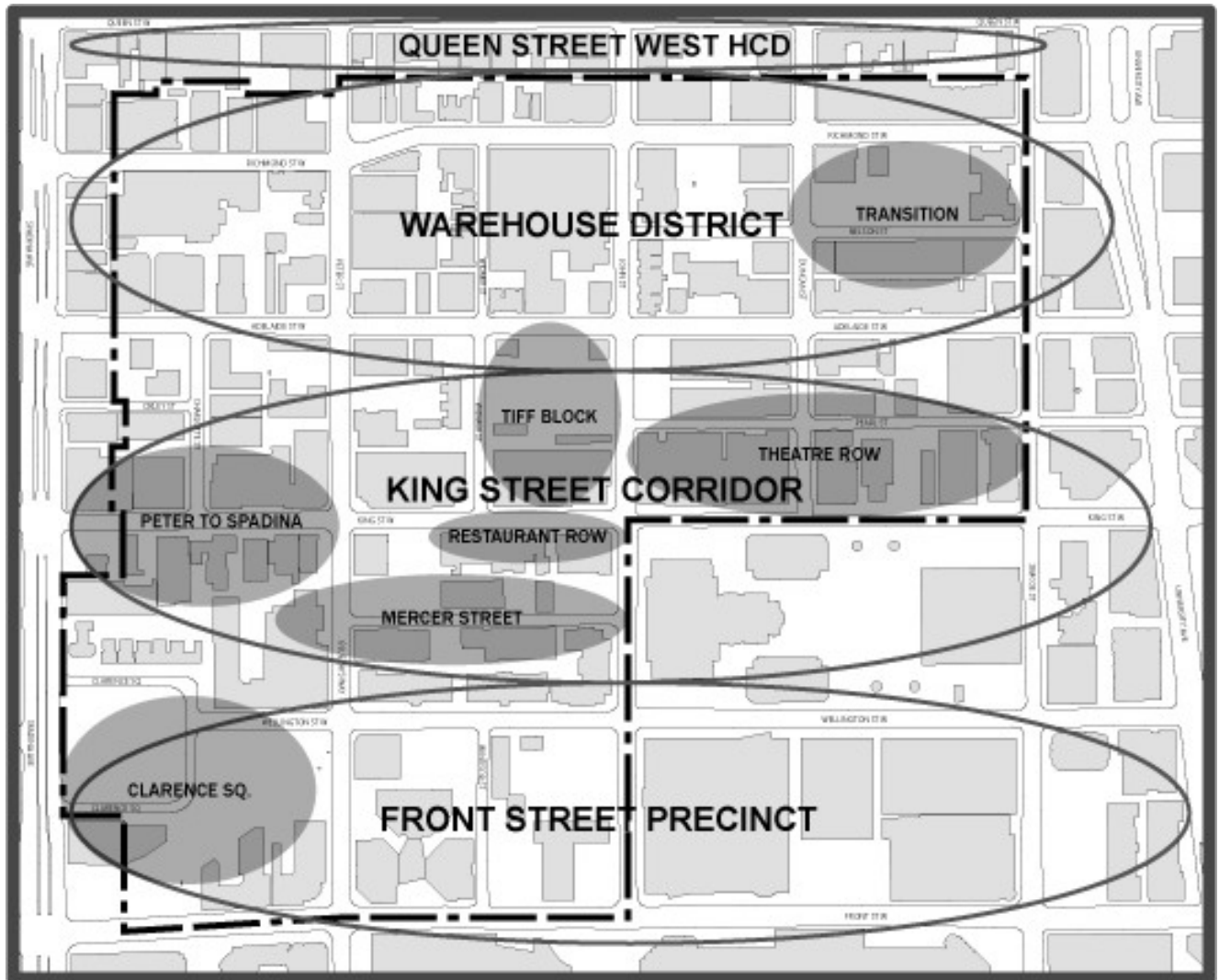
- Secondary Plan Boundary
- View Terminus
- Potential Mid-block Connections

July 2006

Attachment 2: Heritage Built Form



Attachment 3: East Precinct Character Areas




Character Areas

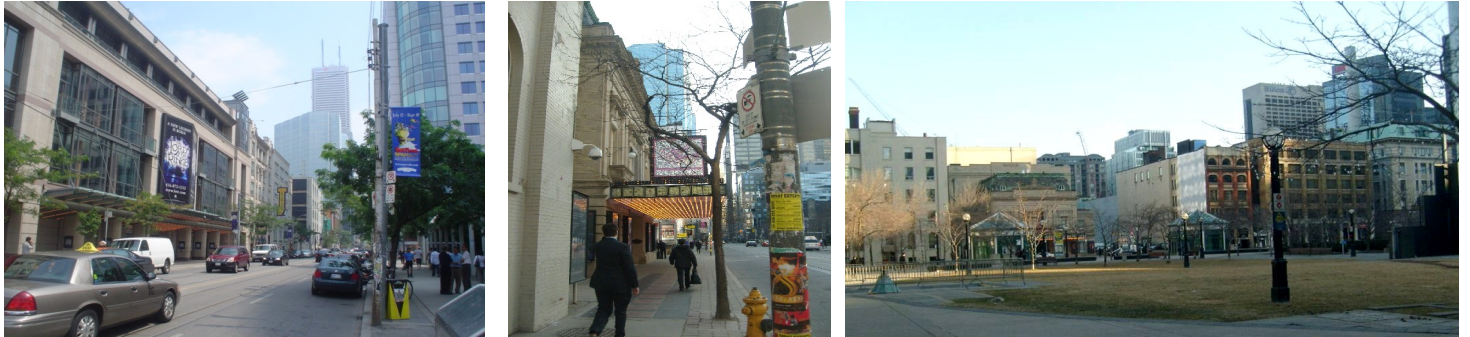

Sub - Character Areas


East Precinct Boundary

Attachment 4: Images of Areas Contributing to Heritage Character



Warehouse Character

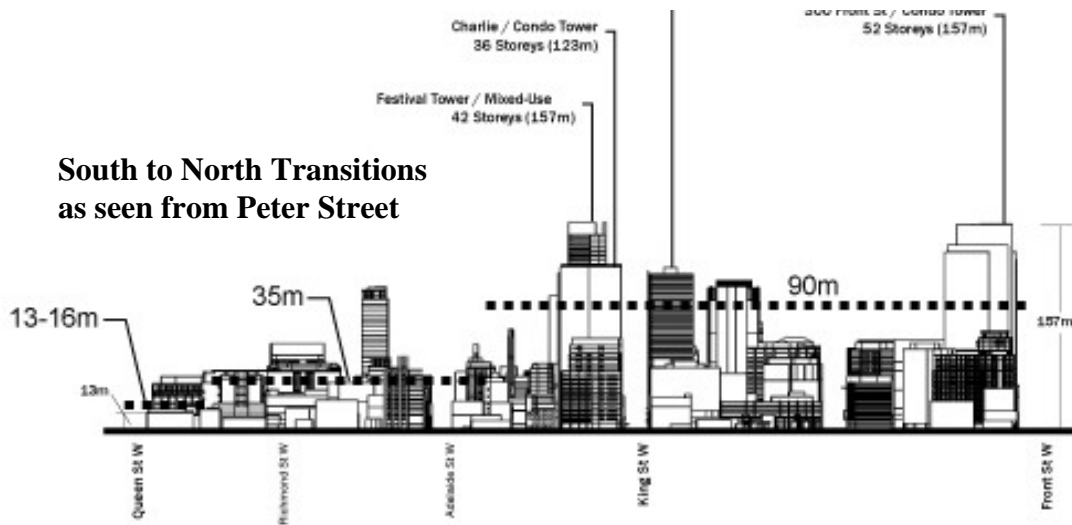
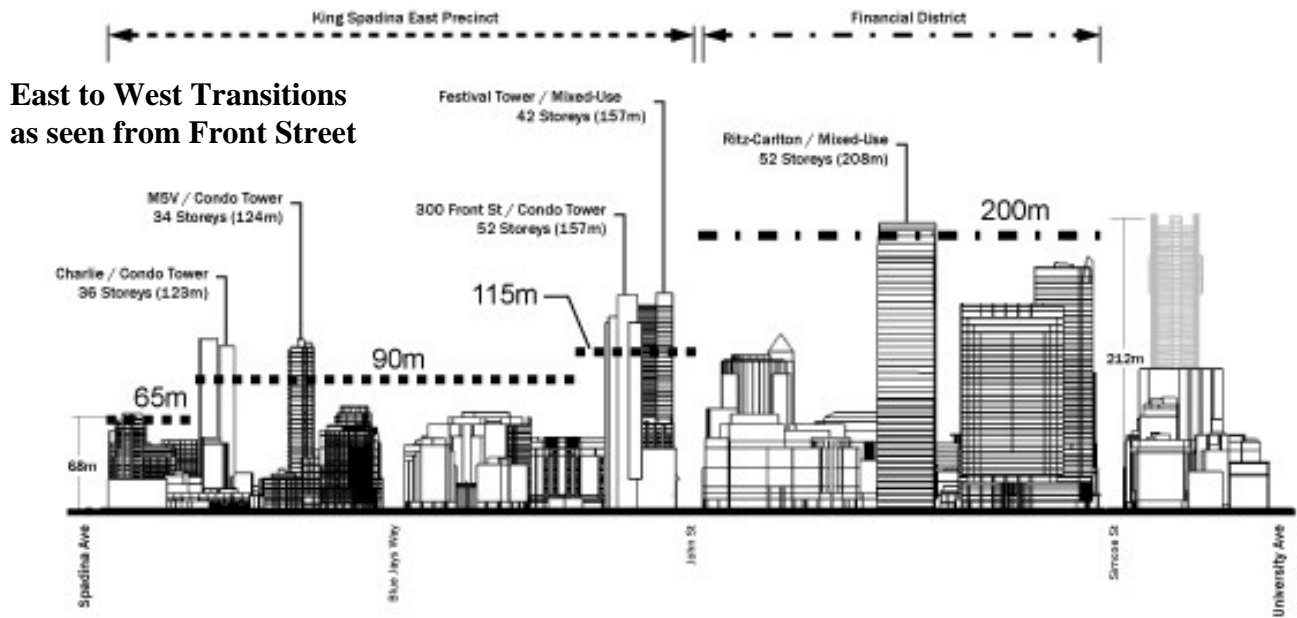


King Street West – Theatre Row



King Street West – Restaurant Row

Attachment 5: General Height Transitions with Second Tier Height Overlay



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Tier 2 Heights

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Financial District Heights

Attachment 6: Proposed Second Tier Height Areas



-  Existing Heights in Metro Hall
-  Existing/Approved Heights in Financial District
-  Properties Contributing to Heritage Character
-  East Precinct Boundary