

Urban Design Report

Revised Zoning By-law Amendments Re: 147 Spadina Avenue, Toronto, ON
Prepared for Hullmark – 30 August 2023



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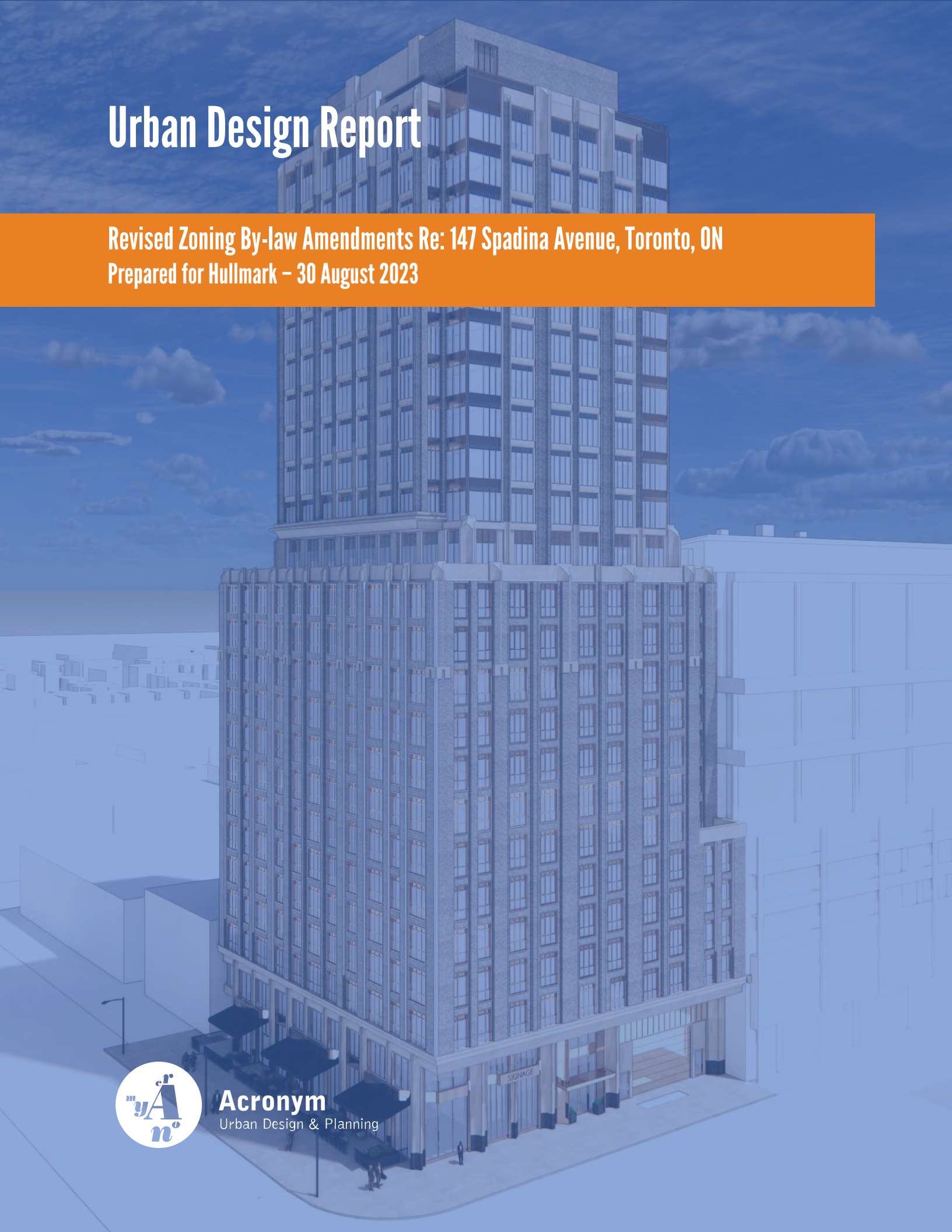


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Date: 30 August 2023

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Attn: Charles Arbez, Development Manager

**RE: Urban Design Report – Resubmission 2023:
147 Spadina Avenue, Toronto, ON**

Please find below my updated Urban Design Report on the revised proposal at the municipal address of 147 Spadina Avenue, Toronto, ON. This report accompanies the revised submission of an application for Zoning By-law amendments.

The Applicant has revised their original development plans, which previously consisted of a 25-storey mixed-use building (“original proposal”), to a 24-storey mixed use building containing 226 residential rental units (the “revised proposal”).

The architect for the revised proposal is Audax Architecture Inc. The updated drawings on which this report is based are dated August 2023. The drawings include an updated Shadow Study.

This report has been prepared in conjunction with the Planning Rationale Addendum prepared by Bousfields and should be read together with that report. In order to avoid duplication, this report will rely upon the analysis of the larger regulatory framework and general descriptions of the physical context that are contained in the original Bousfields report.

The focus of this report is to set out the urban design approach taken in the design of the revised proposal and to relate that approach to the relevant City of Toronto Official Plan policies, Zoning By-law standards and Design Guideline documents.

1. Introduction

This urban design rationale report concludes that the revised proposal will create a unique and appropriate addition to its evolving King Spadina East Precinct within a *Regeneration Area*.

In my opinion, the subject property is an appropriate location for a tall building. At 24 storeys (76.8 metres plus mechanical penthouse), the revised proposal is in keeping with range of building heights in the emerging tall building cluster in this area along Richmond Street West, south of Queen Street West and east of Spadina Avenue.

The revised proposal represents the optimization of development on the south western part of its urban block - which accommodates a wide range of existing building heights, scales and styles. The development context

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comprises a broad range of building types including a number of different mixed use and apartment building forms, from different periods and has been the subject of other significant planning applications.

The design of the revised proposal will fit appropriately into its context. Its built form represents a compatible addition to the urban district within which it is located.



Figure 1 Perspective View from South West (AUDAX)

The revised proposal will support the achievement of numerous policy directions promoting intensification within built-up urban areas, particularly because of its location in a part of the city that is well served by municipal infrastructure, including public transit. The subject property is located within easy walking distance to the Queen Street West stop of the Toronto Transit Commission (TTC) Spadina LRT and a short walk to the TTC Queen Street Streetcar stop at Queen and Spadina. It is also close to (approximately 1 km) Osgoode Station on the TTC Line 1 Yonge/University subway.

From an urban design perspective, the proposal will create a high-quality architecturally distinctive addition to the existing neighbourhood, and will complement the area's existing built form context. The proposal establishes appropriate relationships with the public realm, and has appropriate height, density, massing, scale and built-form, with adequate setbacks and step-backs.

The design and massing of the proposed new building will complement the architectural expression of other nearby commercial and mixed-use buildings.

In my opinion, the revised proposal meets the intent of the built form and massing policies and guidelines of:

- the Official Plan;
- the in-force King Spadina Secondary Plan (16) (1996/2004) and associated Urban Design Guidelines;
- the updated King-Spadina Secondary Plan (2006) (under appeal);

- the King-Spadina Urban Design Guidelines (2006);
- the King-Spadina East Precinct Built Form Study (2008-2017);
- the updated King-Spadina Secondary Plan (2020);
- the Downtown Plan (41) (2019);
- the City's Tall Building Guidelines (2013);
- the City's Downtown Tall Buildings Vision and Supplementary Guidelines (2013);
- is consistent with the Draft King-Spadina East Precinct Public Realm Strategy (2014); and
- has regard for the King-Spadina HCD (2017) (under appeal).



Figure 2 Context Aerial View from the South West (AUDAX)

I have also reviewed the revised proposal with respect to OPA 352 and By-laws 1106-2016 and 1107-2016.

2. The Subject Property

The subject property occupies a highly visible corner site on the south-west of the urban block bounded on the north by Queen Street West, on the west by Spadina Avenue, on the south Richmond Street West and on the east by Peter Street. It is currently occupied by a 2-storey mixed-use masonry clad commercial building which occupies the majority of its site, with the exceptions of a 1.36 metre setback on the north, a 2.90 – 3.03 metre setback on the west and a small setback along Richmond Street West, to the south of between 0.16 and 0.36 metres.

The subject property has frontages of 30.94 metres on Richmond Street West and 30.06 metres on Spadina Avenue and has an area of 1,081.1 square metres.

The two west walls and the courtyard of the 14-storey mixed-use residential building known as the District Lofts immediately to the east at 588 Richmond Street West directly abuts the east property line of the subject

property. The south wall of the 2-1/2 storey building at 161 Spadina Avenue immediately to the north is located approximately 1.0 metre north of the north property line with the exception of portions of the building's south east corner which abut the subject property and then set back to the north to facilitate access to a private laneway over which a variety of easements exist. A dead-end public laneway known as Lot Street Lane runs east from Spadina Avenue, north of 161 Spadina Avenue and wraps around its north east corner and then runs further east to behind 427-429 Queen Street West, beyond which are other private laneways.

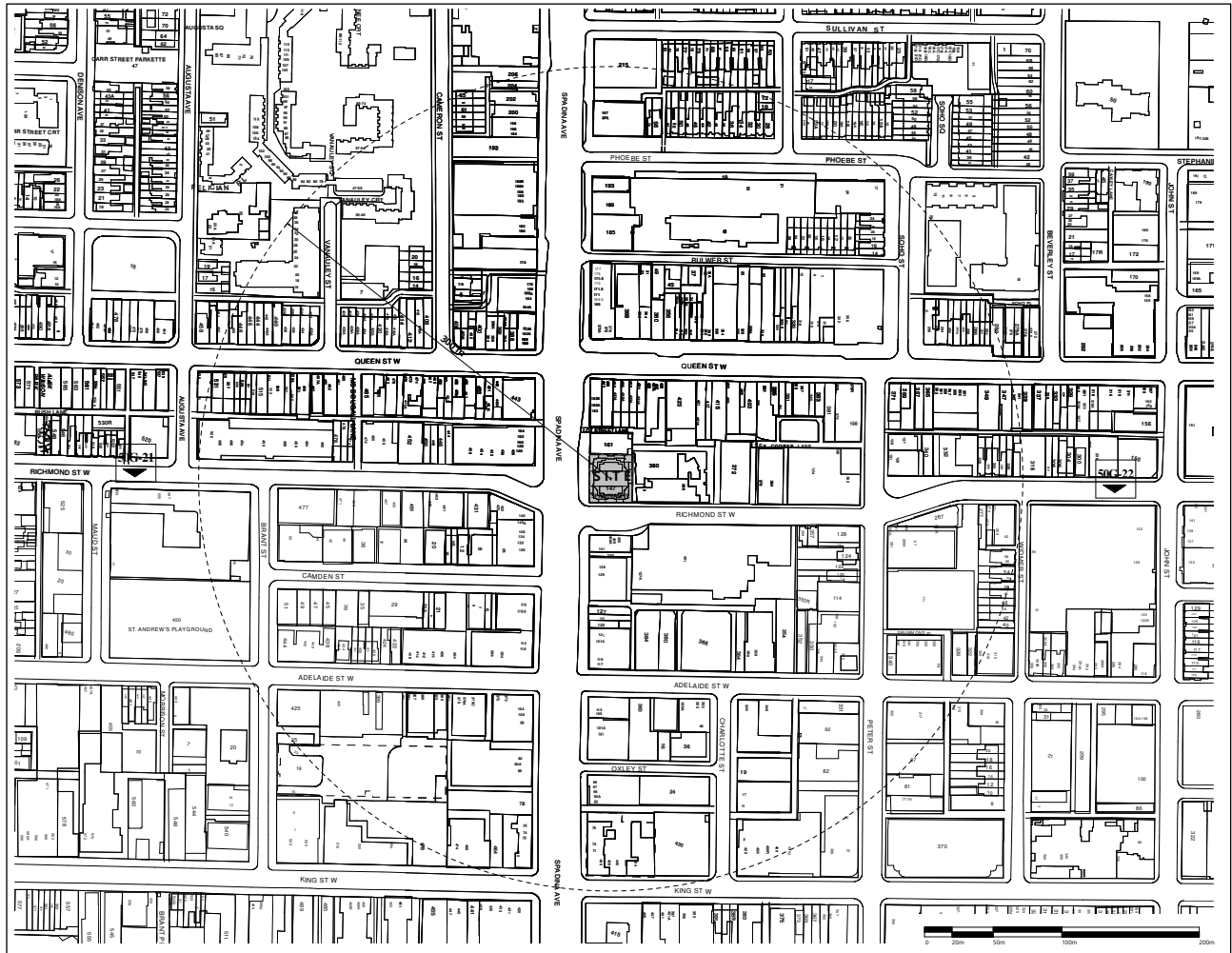


Figure 3 Context Plan (AUDAX)

3. Built Form Context

The revised proposal is located in a rapidly redeveloping area of the city – known as the East Precinct of King-Spadina. The area is home to many existing and approved tall buildings.

Today the urban block on which the subject property is located is more or less fully built out with a wide variety of buildings from a number of historical periods. These include: the 2-1/2 storey masonry commercial building at 161 Spadina Avenue to the north; the 2-3-storey mixed use buildings on the south side of Queen Street West, between Spadina Avenue and close to Peter Street, which have retail uses at grade; the approved 7-storey mixed use building that is under construction at 375 Queen Street West; the 17-storey commercial office building complex at 134 Peter Street with its distinctive atrium space and retained masonry warehouse

buildings; the 5-1/2-storey masonry commercial building at 372 Richmond Street West; and the 14-storey District Lofts mixed-use-residential building at 388 Richmond Street West.



Figure 4 Aerial View from North West - Existing Conditions (AUDAX)

Directly south of the subject property on the south side of Richmond Street West is a 2-storey commercial building at 141-143 Spadina Avenue and 405-409 Richmond Street West. Further south on Spadina Avenue is a 6-1/2 storey masonry commercial building known as the Spadina Building at 129 Spadina Avenue. To the south east is 401 Richmond Street West, a long 4-1/2 storey building that houses a variety of arts related uses and some retail.

Directly west of the subject property on the north side of Richmond Street West is a 16-storey mixed use-residential building with retail at grade at 438 Richmond Street West known as the Morgan. Further to the west on both sides of Richmond Street West are a cluster of four existing and recently approved tall buildings and one revised proposal that range in height between 15 and 19 storeys, many of which share “party wall” conditions with each other.

Also located nearby – to the south east are another cluster of existing and approved tall buildings south of the intersection of Richmond Street West and Peter Street. These mixed use-residential buildings range in height between 36 and 47 storeys.

There are a number of other existing, approved and proposed tall buildings located in the general vicinity, further to the east along the north and south sides of Richmond Street West that range between 27 and 42 storeys.

The rights of way of Richmond Street West and Spadina Avenue opposite the subject property are approximately 20.0 metres and 40.0 metres (36 in OP Map 3) in width respectively.

4. The Revised Proposal

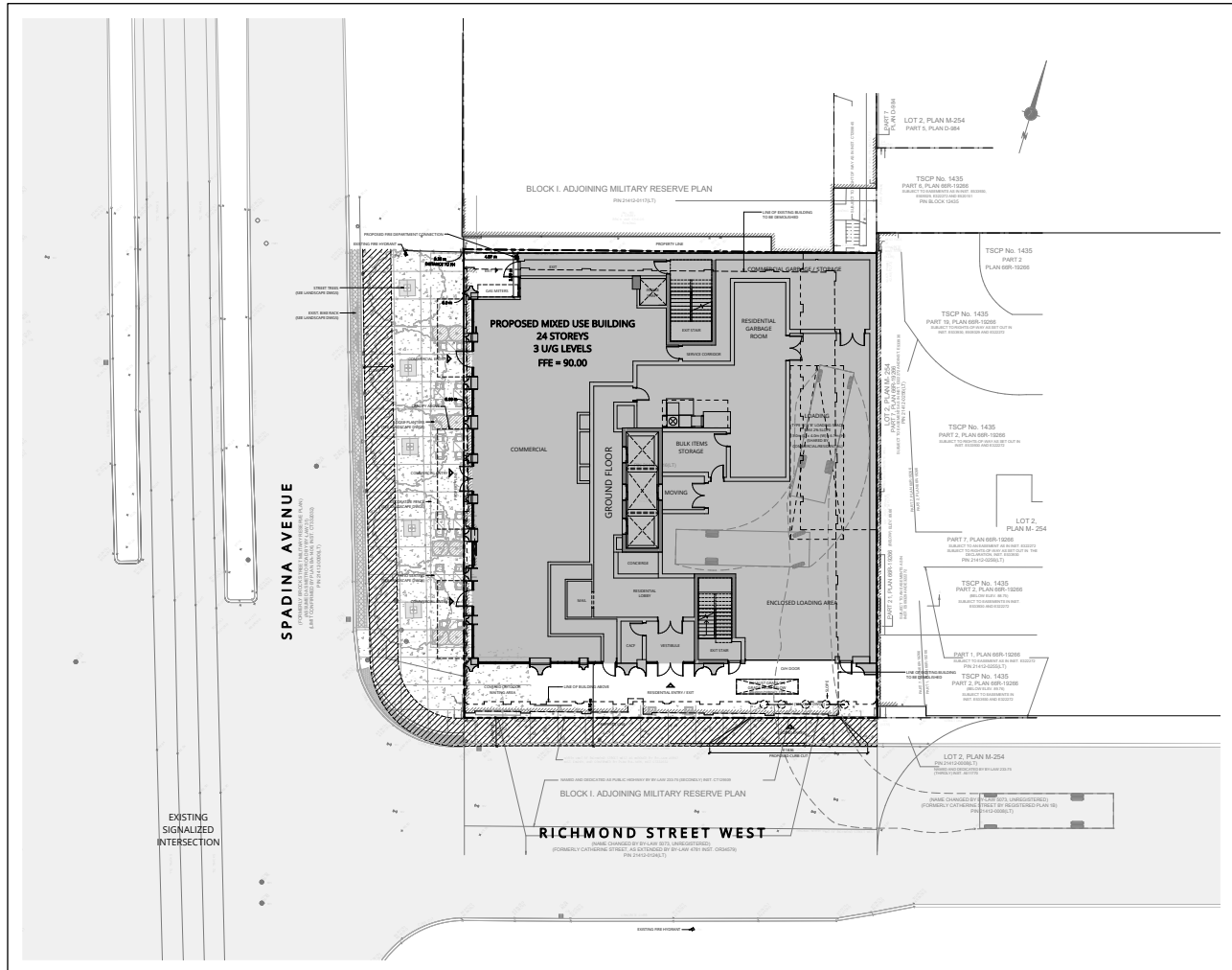


Figure 5 Site Plan (AUDAX)

The revised proposal includes the demolition of the existing 2-storey commercial building and its replacement with a 24-storey (plus mechanical penthouse) mixed-use building containing retail and residential dwelling units along with associated amenity and service facilities.

The built form of the revised proposal is a canyon form tall building with a 13-storey (40.75 metre) tall base building, that occupies the majority of the subject property above which is located a 11-storey small footprint tower element.

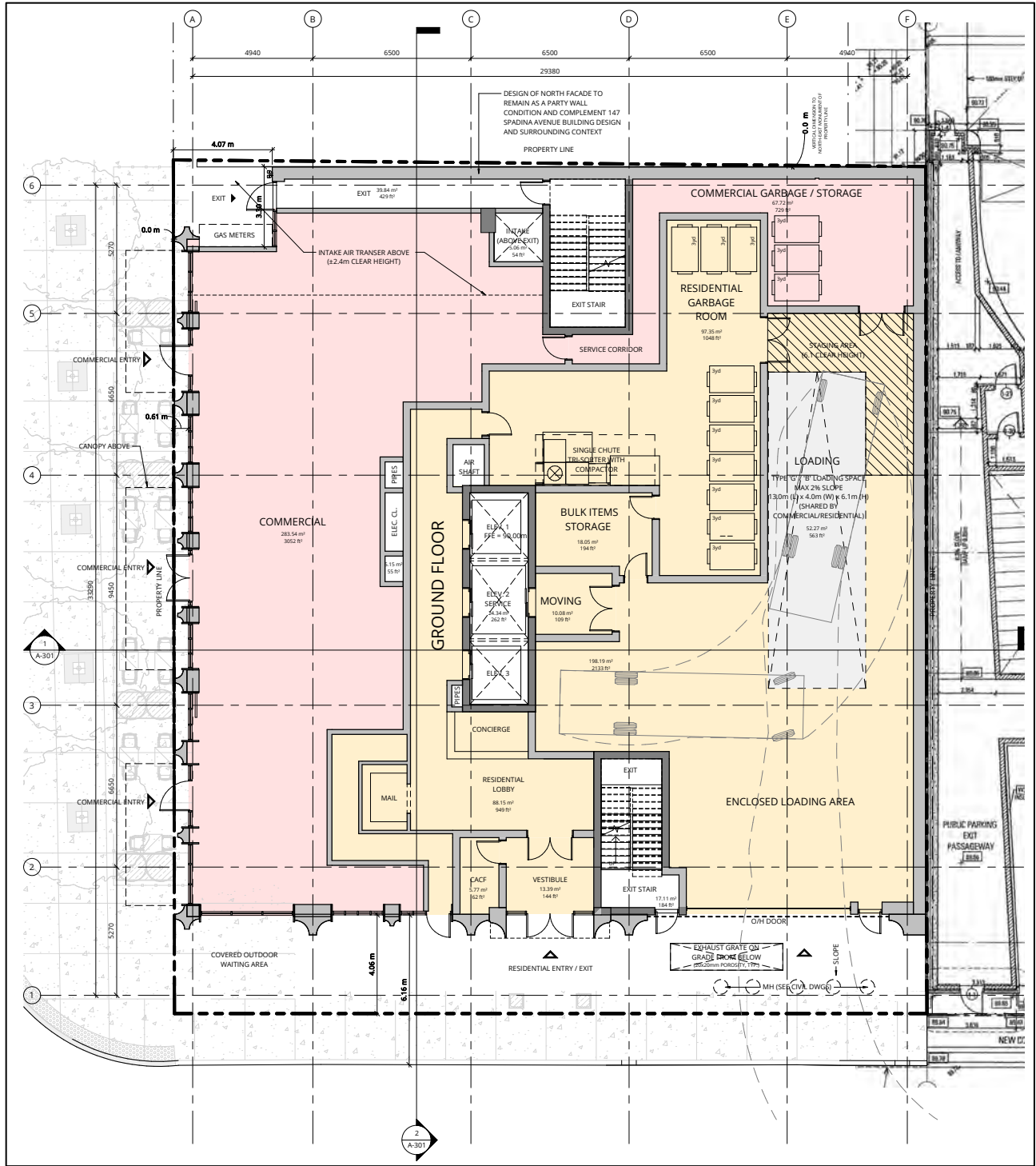


Figure 6 Ground Floor Plan (AUDAX)

The revised proposal includes a 3-level below grade parking structure. Bicycle storage, with elevator access is located on the P1 level. Car parking will take place on the P2-P3 levels. Access to the car parking spaces on these levels will be from a below grade link to the existing underground parking garage of District Lofts at 388 Richmond Street West. Easements that secure shared access through the existing garage are already in place.

The ground floor of the 13-storey base building includes: retail uses lining Spadina Avenue, the residential lobby Richmond Street West; and a loading facility with 1 Type G loading space with access from Richmond Street West. Residential and retail garbage rooms facilities are located on the ground floor.

The ground and second floors include a setback area with a depth of approximately 4.0 metres along the full Richmond Street West frontage, which provides pedestrian weather protection for the residential lobby and an entrance to retail facilities. This setback will result in a sidewalk of more than 6.0 metres of depth, from curb to building face. The third floor and those above in the base building step forward 3.0 metres to the south to establish a setback of 1.0 metres from the Richmond Street West property line.

The revised proposal is served by a core containing 3 residential elevators.

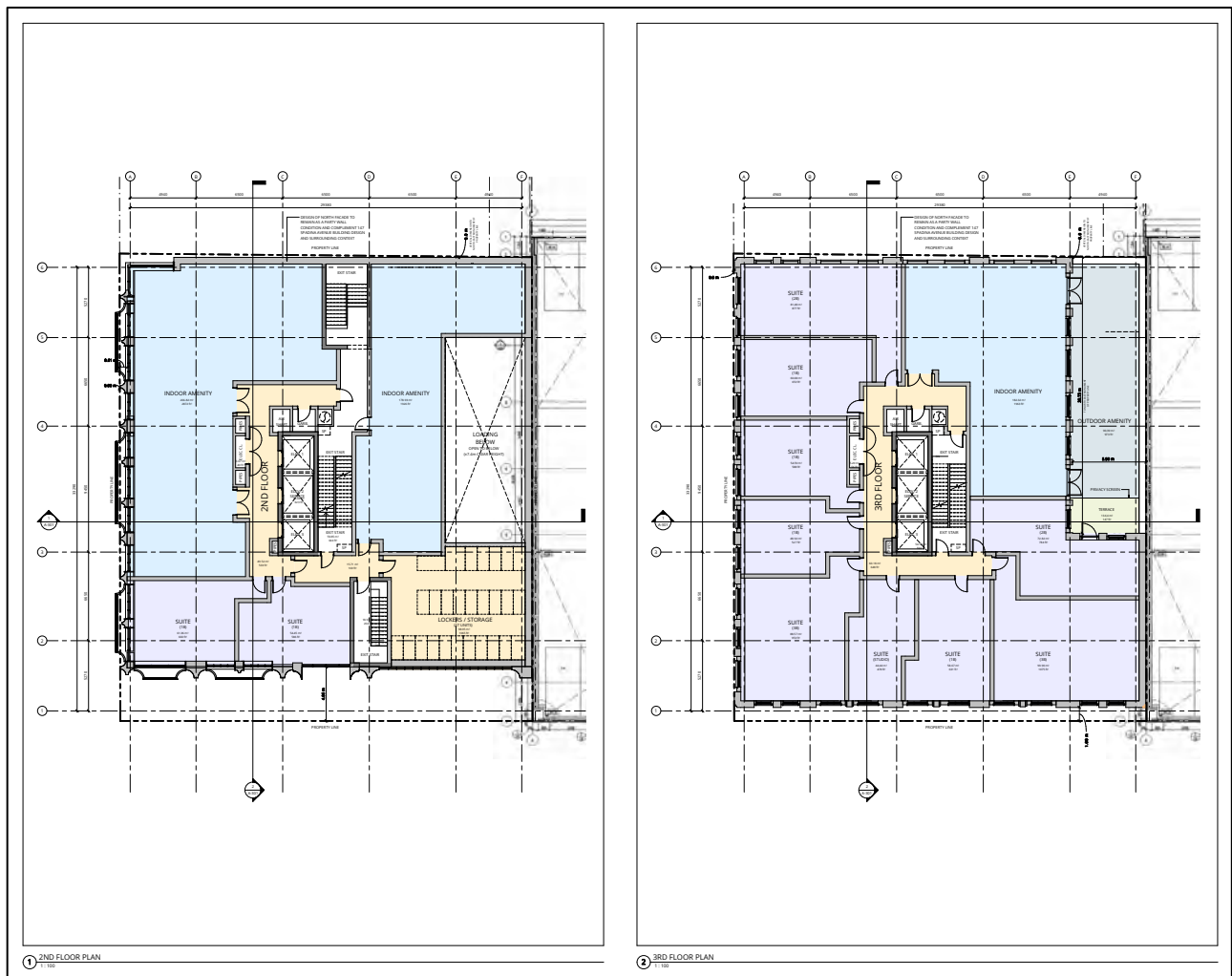


Figure 7 Second and Third Floor Plans (AUDAX)

Indoor amenity spaces occupy the majority of the second-floor and a portion of the north east of the third floor. One 3-bedroom unit is proposed in the south west corner of the second floor

An outdoor amenity space is located on the 3rd floor at the north east corner of the floor where a 5.5 x 17.8 metre outdoor amenity terrace is proposed. The third-floor indoor amenity space is connected internally with

the second-floor amenity space by means of a communication stair located in a 2-storey interconnected space.

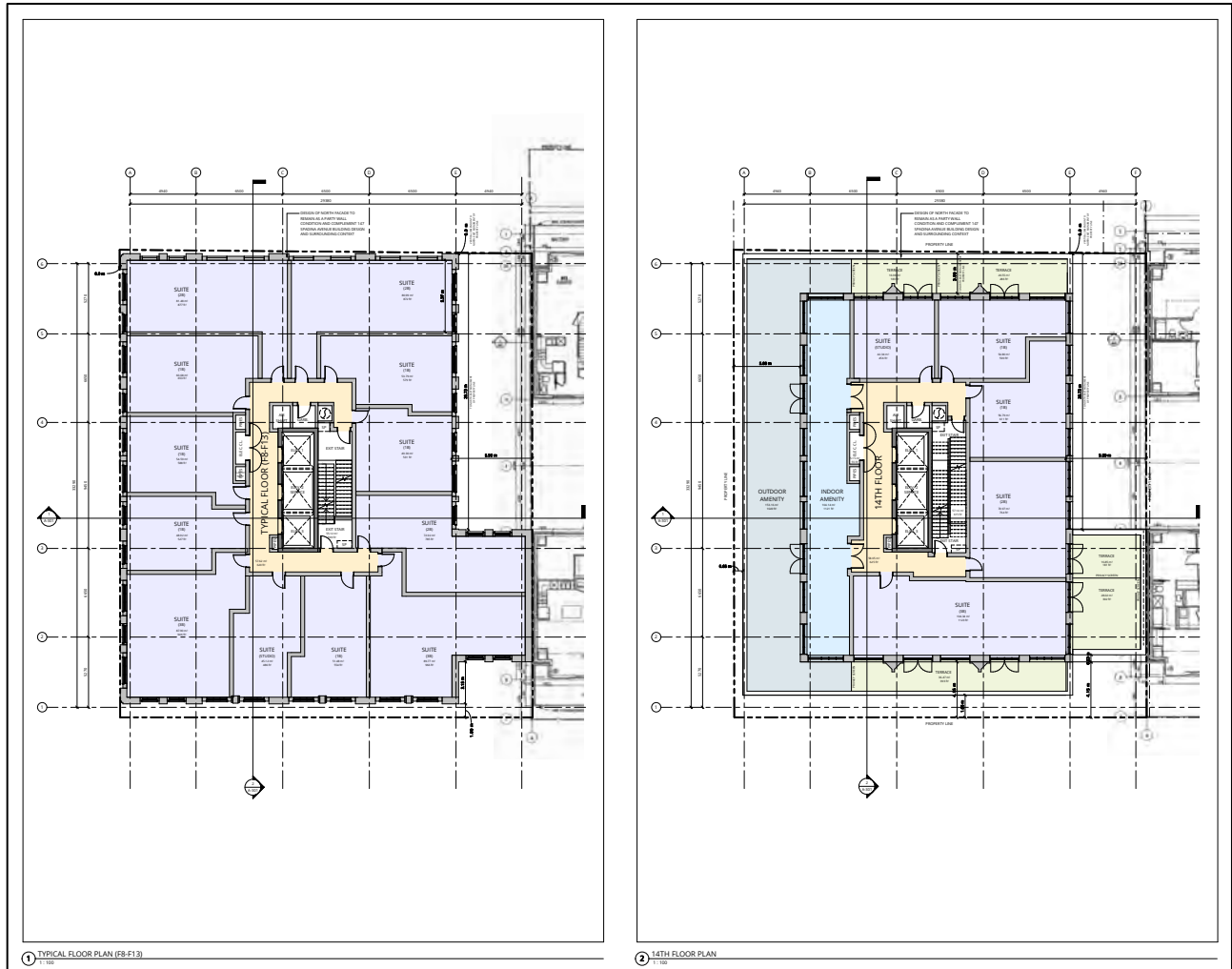


Figure 8 Typical Base Building and 14th Floor Plans (AUDAX)

Floors 4-6 include a 5.5-metre-deep recessed light well, above the third floor outdoor amenity space, which provides a setback area adjacent to the courtyard space of the District Lofts to the east. In addition to this light well, floors 7-13 include an additional “notch” at the south east corner, which is coordinated with the position of a number of corner windows on the District Lofts to the west.

The proposed tower element starts at the 14th floor level where the floor plate steps away from all building faces below, to differentiate it from the base building.

An indoor amenity space, with an associated outdoor amenity space is proposed on the 14th floor facing west over Spadina Avenue.

Typical floors on the 15th through 24th floors are generally rectangular with corner recesses on the north-west and south-west. The resulting typical tower floor plate has an area of approximately 601.8 square metres.

The mechanical penthouse above steps back on all sides.

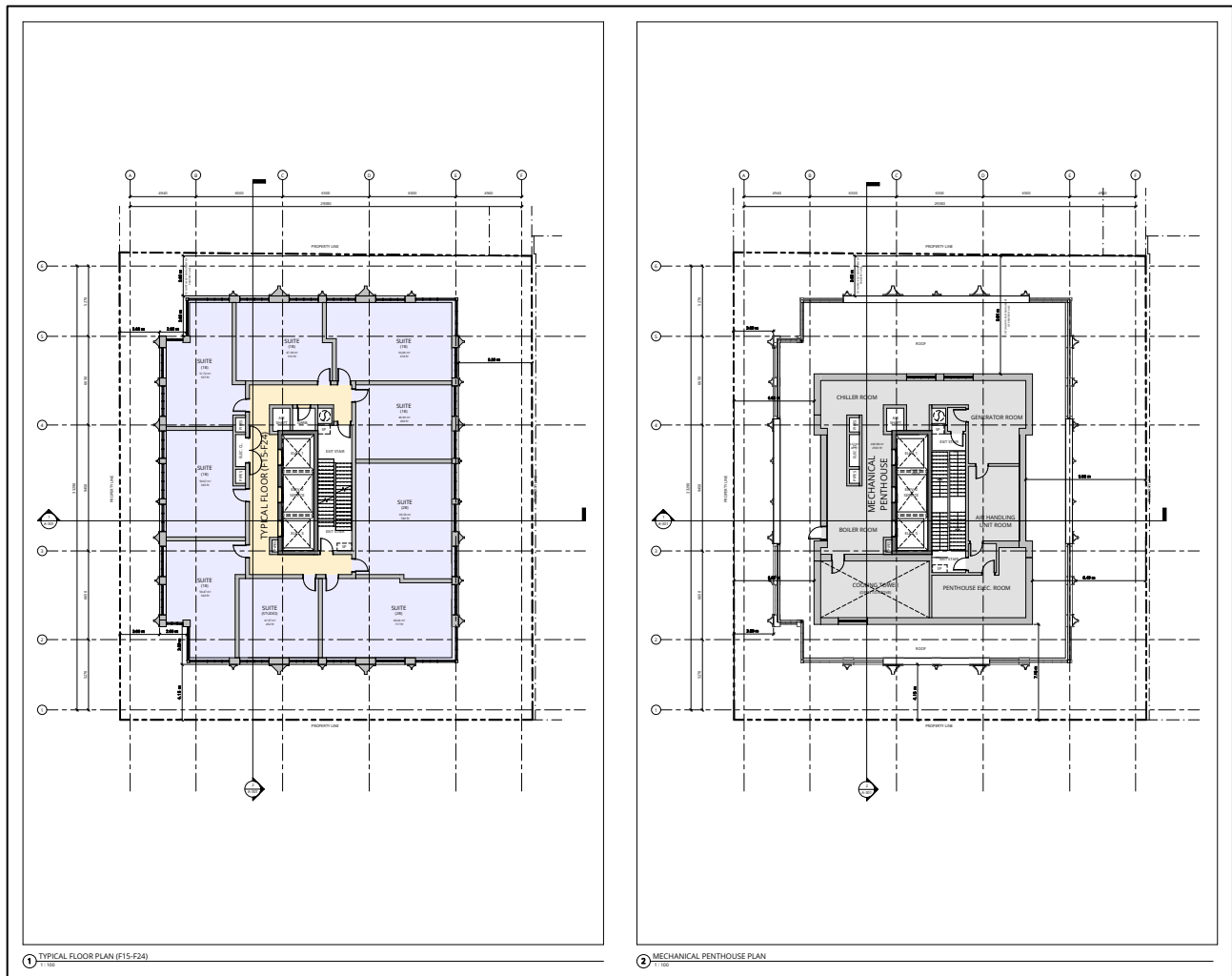


Figure 9 Typical Tower Floor and MPH Plans (AUDAX)

No balconies are proposed, other than private outdoor terraces where the building stepbacks occur.

The building is clad in a combination of buff coloured masonry with light grey/white stone and precast details. The facades of the building feature a vertical articulation, emphasizes by the sculpted stone/precast vertical pilasters on both the base and tower. Glazing and spandrel panels rendered in a warm bronze color are arranged within the vertical stone and masonry frames. Elements framing the building entrances at grade will be clad in stone panels.

The typical floors of the tower are differentiated from those of the base by the presence of a higher percentage of glazed openings, providing a lightness to those upper levels of the building.

The mechanical penthouse level at the top of the tower is clad in a combination of masonry and precast concrete and is intended to be read as an extension of the tower top.

The proposed tower will achieve separation distances from other existing and approved tall buildings in the vicinity as follows:

- Approximately 85 metres to the east to the west face of the existing tower element of the 17-storey (72.3 metre) Queen Richmond Centre at 362 Richmond Street West;
- Approximately 137 metres to the east to the west face of the approved 39-storey (131.5 metre) tall mixed-use residential building at 128 Peter Street; and
- Approximately 40 metres to the west to the east face of the 16-storey Morgan mixed-use residential building at 438 Richmond Street West.

One (1) new street tree will be added to the existing group of four street trees in boulevard trenches along Spadina Avenue to City of Toronto standards.

5. Urban Design Analysis

The subject property is in the King Spadina East Precinct area, part of an area where numerous rezonings and/or Official Plan amendments permitting very tall buildings have been approved by City Council and the LPAT/OLT.

The Official Plan and the City's Tall Building Guidelines provide the basis for an urban design approach to the understanding of existing and planned built form and context.

In the case of the policies related to urban design and the development criteria of the Official Plan, this analysis focuses primarily on questions of compatibility, transition and the mitigation of impacts. The Tall Building Guidelines focus on more detailed recommendations regarding building design.

5.1. Building Height and Massing

The proposed tower height of 24 storeys (82.8 metres to the top of the mechanical penthouse) is appropriate and will fit harmoniously with the existing and planned built form context in the vicinity which includes a number of built and or approved tall buildings.

As an addition to the immediate vicinity, and judged on its own merits, the revised proposal will be seen as a part of an emerging cluster of tall buildings in the East Precinct area. Because of its slender proportion and relatively small floor plate above the tall base building (approximately 601.8 square metres on floors 15-24) its shadow impacts will be minimal and any net new shadows that result will move quickly throughout the day. These same characteristics will minimize the presence of the tower in relation to views of the sky from the nearby public realm.

The revised proposal fully complies with a 45-degree angular plane projected from the edge of the sidewalk on the north side of Queen Street West as required in Policy 6.6.5 of the King Spadina Secondary Plan.

In my opinion, the revised proposal contains appropriate setbacks, stepbacks and other architectural features which relate to the existing and potential future conditions on both properties which it abuts. And, the revised proposal does not unduly limit the development potential where it does exist on the block at 161 Spadina.

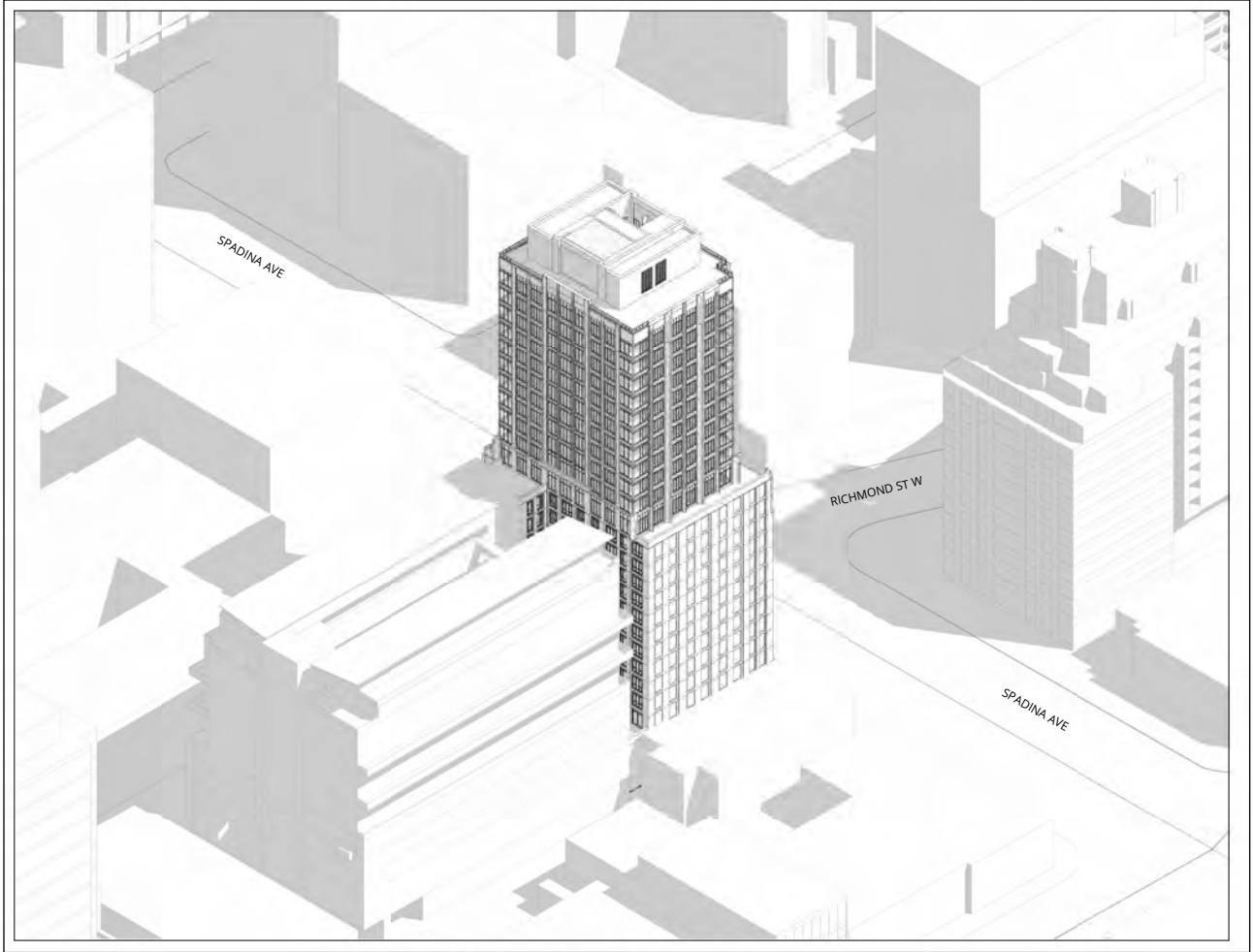


Figure 10 Context View from South East (AUDAX)

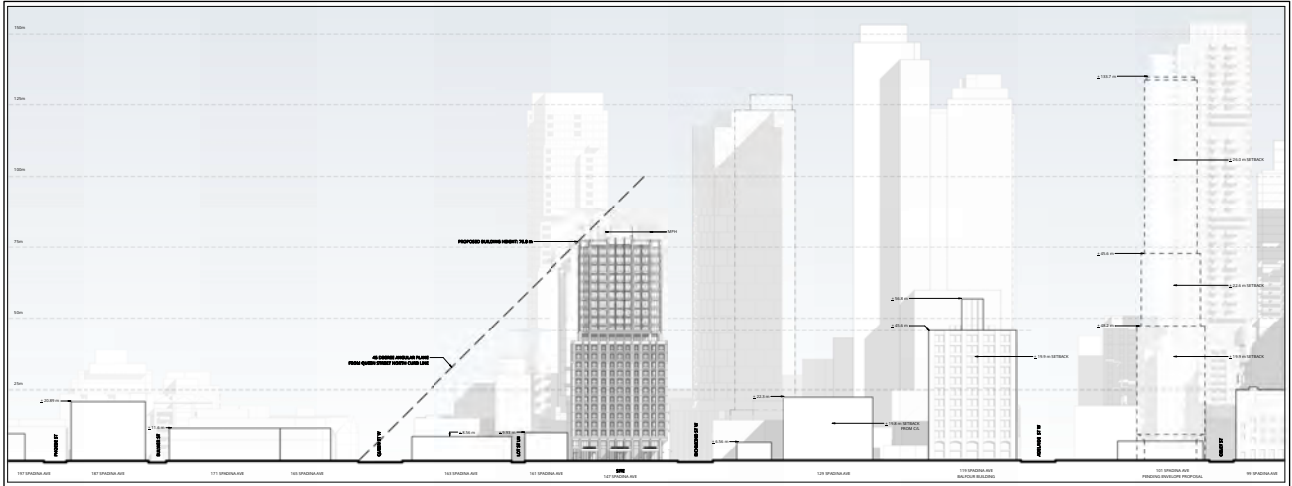


Figure 11 West Elevation Showing Angular Plane Projected from North Curb of Queen Street West (AUDAX)

5.2. Shadows and Sky View

I have reviewed the Sun/Shadow Study prepared for the proposal by AUDAX. This study focuses on the extent of shadows created by the proposal on the spring and fall equinoxes (21 March/ 21 September) and the summer solstice (21 June). The study identifies incremental increases in shadow (in relation to existing conditions and approved projects) created by the proposal.

The Shadow Study drawings were prepared using a digital model to cast and differentially render the shadows created by the existing context (grey shadows), approved context (yellow shadows) and the revised proposal (red shadows). Shadows that would be cast by the as-of-right zoning envelope are rendered in blue.

The Shadow Study has been prepared to meet the City's terms of reference for such studies available on the City's website at the time of the writing of this report. Although the sun altitude and exact timing of solar noon are slightly different on March 21st and September 21st, the impacts are sufficiently similar as to be considered equal for the purposes of this report. The full shadow analysis is included in the development application package.

Spring/Fall

In the spring/fall equinoxes the shadow cast by the revised proposal falls primarily on areas of the public realm and private open spaces currently shadowed by existing and approved development throughout the entire day. The sidewalk on the north side of Queen Street West, west of Spadina Avenue, will experience moving patches of incremental shadow at 9:18AM and 10:18AM in different locations between Claremont Street and Spadina Avenue. At 11:18AM there will be patches of moving incremental shadow on the sidewalks of Spadina Avenue at the north west and south east corners.

Between 11:18PM and 6:18PM there will be no areas of new shadow on the public realm resulting from the revised proposal.

The revised proposal will cast no net new shadow on any parks in the area during these periods.

Summer

The June summer solstice period shadows are similar in many respects to those of the Spring/Fall equinoxes in that those cast by the revised proposal generally overlap with those cast by existing and approved developments or those that would be cast by the as-of-right zoning envelope.

At 9:18AM and 10:18AM there will be a patch of moving incremental shadow on the sidewalk on the west side of Spadina Avenue. At 11:18AM and 12:18Am there will be a patch of moving incremental shadow on the east side of Spadina Avenue. Between 1:18PM and 3:18PM there will be no areas of new shadow on the public realm resulting from the revised proposal. At 5:18PM there will be a patch of moving incremental shadow on the sidewalk on the south side of Richmond Street West.

The revised proposal will cast no net new shadow on any parks in the area during these periods.

In my opinion the incremental increase in shadow that will result from the revised proposal is minor in nature. Where new shadows occur, they move quickly off those areas. The new shadows cast by the revised proposal

are therefore acceptable and conform to the relevant Official Plan policies, which are discussed in section 6 which follows.

6. Urban Design Policy and Regulatory Context

6.1. City of Toronto Official Plan

Municipal Official Plans implement the PPS and the Growth Plan. All planning decisions must be consistent with the PPS and conform to, or not conflict with, the Growth Plan. In my opinion, the site-specific rezoning required to permit this proposed mixed-use redevelopment conform to the Toronto Official Plan, February March 2022 Office Consolidation. The most recent consolidation of Chapters 6 and 7 is in effect as of June 2015.

The City of Toronto Official Plan guides land use planning for development. Among the many things that it does, the Plan directs growth and change to specific parts of the city; protects neighbourhoods and green spaces from development pressures; and integrates land use and transportation policy. Generally, there are no height or density figures in the Official Plan.

The subject property is located in the area identified as *Downtown and the Central Waterfront* in the Official Plan.

The Official Plan identifies the subject property and the majority of the surrounding lands as *Regeneration Areas*. The nearest area in the vicinity of the subject property that is identified as *Neighbourhood Areas* is located approximately 150 metres to the north, north of Bulwer Street and east of Spadina Avenue.

The Planning Report prepared by Bousfields deals with the conformity of the revised proposal in terms of the general policies of the City of Toronto's Official Plan. I have worked with Bousfields on their assessment of the revised proposal and I concur with their report's conclusions.

I will discuss Official Plan policies, from an Urban Design perspective, in detail in the following sections.

6.1.1. Building a Successful City (OP Chapter 3)

Chapter 3 of the Official Plan sets out policies against which all applications for development will be considered and evaluated, in order to ensure that land use and development decisions and choices improve the quality of life of the City. The objectives of these policies include: making Toronto a more beautiful place; creating healthy and vibrant communities and fostering prosperity.

This chapter acknowledges that City-building involves balancing social, economic and environmental needs and priorities.

Chapter 3 includes a number of policy directions that are relevant to the revised proposal.

Built Form

With regard to Built Form (3.1) the Plan includes policies related to the public realm, general built form, and heritage resources.

The Plan anticipates the next generation of *Downtown* buildings arising from intensification of the existing built form (3.1.2). In addition to responding to the site and program requirements, developments also need to

address the context of the neighbourhood and City. The development should achieve transition, limit shadows on *Neighbourhoods* and *Parks*, acknowledge prominent corner sites, and coordinate parking and service areas.

With respect to built form, the Official Plan states that:

3.1.2.3 *“New development will be massed to fit harmoniously into its surroundings and will respect and improve the local scale and character. It will minimize the impact on neighbouring buildings and open space by:*

- d. providing for adequate light and privacy;*
- e. adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and*
- f. minimizing shadows and uncomfortable wind conditions on neighbouring properties and open space.”*

3.1.2.4 *“New development should be massed to define the edges of streets, parks and open spaces at good proportion and locate taller buildings to ensure adequate access to sky view, sunlight and appropriate pedestrian level wind conditions for the proposed and future use of those spaces.”*

The shadows created by the proposal are minimized by the point tower form of the building and move quickly during the day. The cumulative effect of the additional shadow cast by the building is acceptable and adequately limits shadow impacts on neighbouring properties and open spaces – including the City streets in the immediate vicinity.

In my opinion, the small amount of shadow from the revised proposal, discussed in Section 5 above, is adequately limited and minimized on the public realm. Therefore the revised proposal conforms to the specific Official Plan Policies found in sections 3.1.2.3 (d), (e) and (f).

Sky views are appropriately considered by the revised proposal. The approach taken to the height and massing of this slender tall building ensures adequate sky views from nearby streets and open spaces. In this respect the proposal conforms to the specific Official Plan Policies found in section 3.1.2.4 regarding framing of streets and ensuring adequate sky views.

Light, view and privacy impacts are generally addressed through a combination of spatial separation, orientation and mitigating measures between buildings. The underlying CRE zoning standards (in By-law 569-2013) require a setback of 7.5 metres for walls containing windows facing another main wall without windows or a lot line that does not abut a street or park. For tower elements, the Tall Building Design Guidelines recommend a tower setback of 12.5 metres from side and rear property lines, or in the case where a public laneway is present to the centre line of the laneway, measured to the external walls of the building (i.e. balconies are permitted within the setback zone).

The distances between residential windows in the revised proposal and the existing and approved buildings in the vicinity satisfy intent of the separation distances found in By-law 569-2013 and those recommended in the Tall Building Guidelines.

The proposed upper levels of the development start at a level that is above the existing mixed-use residential building to the east at 388 Richmond Street West.

The east face of the proposed 13-storey component is located at the shared property line to the east. A 5.5-metre-deep light well which aligns with the existing courtyard of District Lofts is located on the east face on the 3rd through 13th floors.

The north face of the proposed 13-storey component is located at the shared property line to the north. No windows facing north are proposed.

The tower above the 13th floor, which is above the roof of District Lofts, is stepped back between 3.5 and 3.15 metres from the base building along the shared property lines to the east and north and to the west. The tower is set back 5.5 metres from the east property line, continuing the setback of the base building facing courtyard of the District Lofts. The typical tower floor plates have “notches” with articulated projecting glazing on the north west and south west corners which contribute to the sculpting of the tower element.

In my opinion it is appropriate to consider the actual distance between tall buildings at the scale of the urban block, understanding that individual tower setbacks from internal property lines may vary from those recommended in the Tall Building Guidelines. In my opinion adequate and appropriate standards of light view and privacy will be achieved for both existing and future developments.

Tall Buildings

The Official Plan Policies regarding Tall Buildings are found in chapter 3.1.3. This chapter notes that “Tall buildings currently exist in many parts of the City, in the *Downtown*, in the *Centres*, along parts of the waterfront, at some subway stops and in clusters around the City.”

Policies found in this chapter direct tall buildings should be “...designed to consist of three parts, carefully integrated into a single whole...” a base, a middle and a top.

Policy 3.1.3(2) directs that “*Tall building proposals will address key urban design considerations, including:*

- a) meeting the built form principles of this Plan;*
- b) demonstrating how the proposed development and site design will contribute to and reinforce the overall City structure;*
- c) demonstrating how the proposed development and site design relate to the existing and/or planned context;*
- d) taking into account the relationship of the site to topography and other tall buildings;*
- e) providing high quality, comfortable and usable publicly accessible open space areas; and*
- f) meeting the other goals and objectives of this Plan.”*

The proposed tall building has a tripartite composition with a 13-storey component that will be read as a canyon form base and a slender middle section, in the form of a small footprint tower above which will be the articulated mechanical penthouse.

The proposed tall building is located in an area of the city which is already home to a number of existing and approved tall buildings and fits into a general stepping down in heights from the *Financial District* to the east toward Spadina Avenue in the west. It will not create undue adverse shadow or wind impacts on nearby parts of the public realm or properties and will result in improvements to the local public realm in the form of improved sidewalks, with new street trees, and pedestrian level weather protection.

In this way the revised proposal satisfies the criteria found in Policy 3.1.3 of the Official Plan.

6.1.2. Regeneration Areas (OP Chapter 4.7)

The Official Plan land use designation for the subject property is *Regeneration Area*.

This is one of the City's land use designations accommodating and focusing growth in the Official Plan. The Plan states that *Regeneration Areas* open up unique areas of the City to a wide array of uses to help attract investment, re-use buildings, encourage new construction and bring life to the streets. These areas are key to the Plan's growth strategy, reintegrating areas of the City that are no longer in productive urban use due to shifts in the local or global economies.

Chapter 4.7 includes a number of policy directions that are relevant to the revised proposal. These include:

4.7.1(b) which states that *Regeneration Areas* will ... "create new jobs and homes that use existing roads, transit, sewers, social services and other infrastructure and create and sustain well-paid, stable, safe and fulfilling employment opportunities for all Torontonians"; and

Chapter 4.7 also includes Development Criteria in *Regeneration Areas*. The primary direction here is that ... "For each *Regeneration Area* a framework for new development will be set out in a Secondary Plan". Secondary Plans provide more specific land use and development policies and criteria.

The King Spadina Secondary Plan is listed as No. 16 in the list of current Secondary Plans. There have been several iterations of the King Spadina Secondary Plan culminating in the adoption by City Council of an updated Secondary Plan on 20 January 2020 which is under appeal at the time of the writing of this report.

6.1.3. King Spadina Secondary Plan 1996/2004

The King Spadina Secondary Plan was first passed in 1996 as by-law 1996-0237, and subsequently incorporated within the Official Plan in 2004. This version of the Secondary Plan is currently in force.

The subject property is located within the lands affected by the in-force Secondary Plan for the King-Spadina Area are shown on Map 16-1.

The major objectives of the Secondary Plan focus on attracting new investment, and recognizing that the area is evolving, with a mixture of commercial, industrial, residential and other live/work activities (2.1, 2.2).

Concerning urban structure, Section 3.2 identifies Spadina Avenue as a significant north-south street and Queen Street to the north as a significant east-west street that links the Financial District to the western parts of the City.

The subject property is not located within an Area of Special Identity shown on Map 16-2.

The Secondary Plan states that new buildings in King Spadina should define and form edges along midblock pedestrian routes and orient themselves to the lower levels in a manner which enhances the public nature of streets by being directly accessible from grade level (3.6 (a)(c)).

To minimize pedestrian/vehicular conflicts, Section 3.6 (c) encourages the placement of servicing to the rear lanes, and the removal of surface parking.

The consideration of building height, massing, scale, setbacks, stepbacks, roof line and profile, and architectural character help create a harmonious relationship of the built form to its context (3.6 (e)).

With regard to pedestrian environment, transportation and parking the Secondary Plan encourages:

Streetscape improvements that promote a healthy and vibrant pedestrian environment will be encouraged in the public rights-of-way and adjacent privately-owned lands (6.1).

To minimize automobile use *Downtown*:

6.2(a) the use of public transit will be encouraged; and

6.2(b) minimum and maximum parking standards will be established which will meet the needs of essential drivers employed or living in the King-Spadina Area and a limited number of other spaces for business and visitor purposes.

The revised proposal generally conforms to the in-force Secondary Plan. It enhances the public nature of streets by being directly accessible from grade level, and includes access to all building servicing from Richmond Street west. The subject property does not abut a laneway.

The revised proposal has a building height, massing, and scale, that is compatible with its existing and planned context, which includes tall buildings of a variety of typologies and base building conditions. It exhibits setbacks and stepbacks which are similar to those found in numerous nearby buildings and will, in my opinion result in a harmonious relationship with the built form of its context.

6.1.4. King Spadina Urban Design Guidelines

The King Spadina Urban Design Guidelines outline the urban design priorities for the area that includes the subject property and were approved in June 2004. These guidelines focus primarily on Areas of Special Identity.

The Urban Design Guidelines include recommendations that are relevant to the revised proposal in the section on Special Streets (Spadina Avenue) noting that is comprised of a number of distinct areas along its length. South of Queen Street, it has a distinct pattern of street-related multi-storey industrial buildings, most of which were built in the early 20th century and that is characterized by an extremely wide street right-of-way.

Under General Site Plan Issues the Guidelines recommend that:

“New development along these streets will respect the massing, height, setback, orientation and character of industrial buildings prevalent on these streets...”

“Generally, in-fill and new buildings will be built to the existing line of setback.”

“Grade Related Uses: Street-related retail, business or community uses will be located on the ground floor of buildings.” and

“The height and massing of new buildings will be based on building types prevalent in the area. Patterns of vertical and horizontal articulation and fenestration on the facades of new buildings will also be based on the articulation of the historic building facades.”

The revised proposal has a tall base building which is similar in scale and height of the existing commercial buildings which are found on Spadina Avenue today, with the proposed stepped back tower element located above. Street related retail is provided along the Spadina Avenue frontage, and partially wraps around the corner onto Richmond Street West.

The revised proposal contributes a small amount of additional shadow on sidewalks in the area beyond the shadow created by existing and approved developments and the as-of-right zoning envelope for the subject property.

The subject property is identified as a location for a “Terminus” feature, viewed from Richmond Street West, west of Spadina Avenue, looking east on Map A Urban Structure.

The articulation of the bay structure on the revised proposal is sympathetic to the expression of the existing buildings in the area – those being a reflection of the architecture of the former industrial buildings located throughout the King Spadina Area.

In my opinion, the revised proposal satisfies the intent of the recommendations found in the King Spadina Urban Design Guidelines.

6.1.5. Updated King-Spadina Secondary Plan 2006 (Under Appeal)

OPA No.2 (By-law 921-2006) proposed amendments to the in-force King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Secondary Plan. It is important to note that the approval of these amendments was appealed to the LPAT/OLT. No hearing has ever taken place on the matter. Although the subdivision of the area precincts has entered into common usage in planning discussions, the updated Secondary Plan that introduced these terms never came into force and was subsequently replaced by the current version of the King Spadina Secondary Plan which is reviewed in section 6.3.11 below.

Policy 3.1 noted that development will complement and reinforce the distinctive qualities of the identified West Precinct, Spadina Avenue Corridor, and East Precinct. In this Secondary Plan update, the subject property was identified as part of the Spadina Avenue Corridor. In the current version of the King Spadina Secondary Plan, the subject property has been redesignated as part of the East Precinct.

This update to the Secondary Plan further directed that:

Policy 3.5 *“View Termini locations shown on Map 16-1 will be given prominent treatment.”*

Policy 8.1 (f) directed that the physical rhythm of the streets is to be *“...maintained through building design and architecture.”*

Policy 8.1 (g) directed that *“Loading and servicing functions are designed and located to minimize impacts on the public realm, particularly conflict with pedestrian movement, as well as on surrounding residential uses.”*

Many of the built form considerations of the 2006 Secondary Plan were carried forward into the 2020 Secondary Plan.

6.1.6. King-Spadina Urban Design Guidelines 2006

Updated King-Spadina Urban Design Guidelines (dated August 2006) were ultimately intended to replace the existing (June 2004) Guidelines. I have included some of the recommendations contained in these guidelines that could be relevant to the revised proposal.

The Public Realm

- Development should contribute to an improved and enhanced public realm. Main building facades and entrances should be oriented to face streets and parks.
- Active commercial and/or residential uses are encouraged at grade.
- Primary building entrances should be located at or immediately above sidewalk level.

Parking and Service Areas

- Parking and service access should be located off lanes where possible and should not be visible from the public realm.

Tall Buildings

- Tall buildings should meet the objectives and policies of the Official Plan and the principles set out in the Guidelines, including light, view and privacy standards.
- New development should reinforce a street wall height that reflects the character and scale of the area, particularly relating to heritage buildings on the same block face.

Area Structure Guidelines

The Guidelines document identifies three sub-areas within King-Spadina area, which differ in terms of built form, public realm character, heritage and land use. The Guidelines provide specific guidance for each sub-area. The subject property is located within the Spadina Avenue Corridor in this version of the Guidelines.

Spadina Avenue Corridor Guidelines

The Guidelines note that *“Spadina Avenue is distinct from the East and West Precincts on the basis of the scale and character of historic buildings, the commercial character of the street and the street dimensions.”* and *“The scale and mass of these historic office and manufacturing buildings tend to be more substantial than their counterparts in the East and West Precincts.”*

In 4.2.3 Built Form the Guidelines note that, *“Development should provide an on-site transition from Spadina Avenue to the East and West Precincts through building heights, massing, and setbacks.”*

In 4.4 Street Hierarchy the Guidelines identify Spadina Avenue as a Primary Corridor and Richmond Street West as a Secondary Street.

Secondary Streets are noted as *“...important local streets that link to adjacent neighbourhoods but are not main streets. While these streets do not necessarily support transit, they contribute significantly to the quality of the public realm. They comprise the largest area of streetscape development. They are walkable, accessible and connect destinations within King-Spadina with those in surrounding neighbourhoods.”*

Interestingly, the Views and Key Sites map (figure 8) does not identify the subject property as a Visual Terminus as was the case in the original guidelines.

King-Spadina Built Form Guidelines

In 5.1.1 Weather Protection the Guidelines recommend that *“...new developments should consider incorporating weather protection elements at building entrances to provide both visual interest and pedestrian shelter.”*

Weather protection for entrances to the revised proposal are provided in the form of a recessed commercial entry at the corner of Spadina Avenue and Richmond Street West and a recessed residential lobby entrance facing Richmond Street West.

In 5.1.2 Parking and Loading the Guidelines recommend that *“...Loading should be hidden from any main façade(s) of the buildings and the public realm. Service areas should be located at the rear of the site, where the building “hides” these services. Access to loading should always be from laneways at the rear or sides of the site. Only where there is no other option available should loading from the street be considered.” and “When unavoidable, access to these areas should be provided from lower order streets with less pedestrian traffic.”*

As there is not access from the subject property to a laneway, the access to the proposed parking and loading facilities is located on Richmond Street West, which the Guidelines recognize as a Secondary Street.

In 5.2.1 Street Wall the Guidelines recommend that *“The street wall height should be generally consistent along the street edge. 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.”*

The revised proposal locates its street frontages to align with those of the existing building which will be demolished and the neighbouring buildings on both Spadina Avenue and Richmond Street West.

In 5.4.1 Building Heights the Guidelines note that *“The East Precinct is composed of a wide variety of buildings forms, sizes, and heights. There are existing and approved buildings in this precinct, primarily in the southeast quadrant with heights taller than permitted by the current zoning by-law.”* This recognition of characteristic is qualified by the statement that *“Heights which are beyond the permitted zoning by-law and are anomalous with the heritage fabric of the area should not be used as precedents for development.”*

The height of the revised proposal is generally consistent with the angular plane provisions found in the 2020 King Spadina Secondary Plan and 2007 Queen Street West HCD Plan.

In 5.4.4 Light, View and Privacy the Guidelines note that *“Where new developments propose tall building elements, it is important to consider the position and orientation of such elements relative to other existing tall buildings, as well as the potential for other tall building elements in the vicinity.”* and recommend that *“Consistent with the citywide Tall Buildings Guidelines, a minimum facing distance of 25m (12.5m to the property line) or conformance with the 1:1:1 ratio is called for by these and other guidelines in order to maintain adequate views between buildings as well as privacy between adjacent windows.”*

Both the base building and tower element have been tailored to respond to light view and privacy considerations of the abutting properties.

In relation to the District Lofts to the east, the revised proposal’s base building establishes a “party wall” and courtyard/light well which generally correspond to those of the District lofts to the east.

The proposed tower element is set back on all sides from the base building above the height of the existing District Lofts building, which in my opinion is unlikely to redevelop as a taller building. The tower is well above the permitted maximum height of any future development on 161 Spadina Avenue. In both cases, in my opinion the proposed tower setbacks, which are less than the 12.5 metres recommended in these guidelines are appropriate and will result in acceptable light view and privacy conditions for both existing and new residents.

The revised proposal satisfies the intent of the recommendations in this guideline document.

It fits well within the description of the built form context found in the guidelines. It satisfies the recommendations regarding: weather protection; parking and loading; consistent and continuous street wall height; building height; and light, view and privacy.

6.1.7. Draft King-Spadina East Precinct Public Realm Strategy

In August 2014, Council endorsed the draft King-Spadina East Precinct Public Realm Strategy and directed staff to apply the draft Strategy in evaluating current and future development applications and public realm improvements and investment in the area.

The draft Strategy provides an analysis of the existing public realm as well as guidance on how the public realm may be expanded in the future to support the needs of the growing population of residents, office workers and visitors in the area. It is intended to assist in identifying and securing public realm improvements and determining priorities that will help achieve a variety of public realm objectives, including:

- Providing a public realm structure and strategy for improvements to reinforce the streets and open spaces within the King-Spadina East Precinct;
- Expanding the open space network of parks, plazas and parkettes;
- Providing different types of open spaces that are well connected, visible barrier free and well used by the general public;
- Improving streetscapes to create a sense of place, safety and ease of movement;
- Enhancing the pedestrian realm by providing mid-block connections, widened sidewalks and promenades;
- Ensuring appropriate relationships between the public realm and built form; and
- Ensuring that new developments provide high quality, co-ordinated open spaces and streetscapes; and orienting buildings and massing to ensure that the public realm and adjacent properties have adequate access to light, sky view and privacy.

Properties facing Spadina Avenue such as the subject property were not yet included in the East Precinct at the time of the publishing of the draft King-Spadina East Precinct Public Realm Strategy.

Nevertheless, the revised proposal satisfies the intent of the recommendations of this strategy report with regard to, transparency and active uses at grade, the public realm and streetscape (including a 6.0 metre curb to building face and minimum 2.1 metre pedestrian clearway dimensions where it is possible, on both Spadina Avenue and Richmond Street West.

6.1.8. King-Spadina Heritage Conservation District Study and Plan

The King-Spadina Heritage Conservation District (HCD) Study was authorized by City Council on October 12, 2012. The first phase of the study has been completed (King-Spadina Heritage Conservation District Study, Volume 1, Taylor Hazell Architects, July 2014).

On May 23, 2014, the Toronto Preservation Board considered a staff report dated May 14, 2014, which described the study findings and recommended proceeding from the study phase to the plan phase of the proposed Heritage Conservation District (HCD) for the King-Spadina area.

The subject property is included within the proposed King-Spadina Heritage Conservation District. The HCD Plan is discussed in detail in the Heritage Impact Assessment (HIA) which is included with the development application.

The HCD Plan was adopted by Council in 2017. It is under appeal at the time of the writing of this report.

6.1.9. Downtown Plan

City Council enacted a bylaw to adopt the Downtown Plan Official Plan Amendment (OPA 406) on July 27, 2018. Subsequently, On June 5, 2019, the Minister of Municipal Affairs and Housing issued a Notice of Decision approving Official Plan Amendment No. 406 (the Downtown Plan) with 224 modifications.

Official Plan Amendment No. 406 includes amendments to Section 2.2.1 and Map 6 of the Toronto Official Plan and introduces a new Downtown Plan.

In the Downtown Plan there is a focus on the creation of “Complete Communities” and states that “Toronto is a city of neighbourhoods and Downtown’s vertical communities are no exception. This means that the infrastructure elements essential to building complete communities must be secured as growth occurs Downtown. It also means that built form must be shaped in a way that is compatible with the existing and planned context and maintains and improves liveability for residents, workers and visitors in all forms of development.”

In Policy 3.3 The Downtown Plan states that “New buildings will fit within their existing and planned context, conserve heritage attributes, expand and improve the public realm as a community benefit, create a comfortable microclimate, provide compatibility between differing scales of development and include indoor and outdoor amenities for both residents and workers, as provided for by this Plan.”

In Policy 3.5 The Downtown Plan states that “*Downtown* will be inclusive and affordable, with a range of housing that meets the requirements of a diverse population with varied needs, including accessible and supportive services for vulnerable populations as provided for by this Plan.”

The Downtown Plan adds a layer to the Official Plan’s *Regeneration Areas* in King-Spadina in the form of a number of *Mixed Use Areas* designations, further identifying King-Spadina as an area targeted for growth and investment. Under the Downtown Plan, King- Spadina now includes a mix of *Mixed Use Areas 1 (Growth)*, *Mixed Use Areas 2 (Intermediate)*, and *Mixed Use Areas 3 (Main Street)*.

With regard to *Mixed Use Areas*, the Downtown Plan states that “Downtown’s *Mixed Use Areas* will absorb most of the anticipated increase in office, retail and service employment as well as the majority of new housing over the coming decades. As the intensity of development on small, infill sites increases and buildings get taller, detailed land use policies for *Mixed Use Areas* will ensure that development occurs in a manner that fits with the existing and planned context. Areas and sites designated as *Mixed Use Areas* have varied characteristics and constraints, and thus, the specific scale and intensity of development will vary based on the local context.” and “Areas where the existing and planned context is low in scale require a modest and measured approach to intensification.”

The subject property is located within an area designated *Mixed Use Area 2 – Intermediate* as illustrated on Map 41-3-A of The Downtown Plan.

Policy 6.20 states that “Building heights, massing and scale of development will be compatible between each of the four *Mixed Use Areas*, with the most intense development located in *Mixed Use Areas 1*, generally lessening through *Mixed Use Areas 2* and *Mixed Use Areas 3* to *Mixed Use Areas 4*.”

Policy 6.21 states that “*In addition to Mixed Use Areas 1, building heights, massing and scale consistent with the Mixed Use Areas 1 policies may be permitted within areas which are designated Mixed Use Areas 2, where*

such development is in proximity to an existing or planned rapid transit station, provided that the materials in support of an application therefore includes the consideration of the matters identified in Policy 6.37."

Policy 6.22 states that "Not all sites can accommodate the maximum scale of development anticipated in each of the *Mixed Use Areas* while also supporting the liveability of the development and the neighbourhood, while other sites may be able to accommodate more than the anticipated scale. Development will be required to address specific site characteristics including lot width and depth, location on a block, on-site or adjacent heritage buildings, parks or open spaces, shadow impacts, and other sensitive adjacencies, potentially resulting in a lower-scale building."

The Downtown Plan states "*Mixed Use Areas 2* includes areas with the greatest heights and largest proportion of non-residential uses. ... Intensification will occur in a diverse range of building typologies and scales, one of which is tall buildings, that contribute to and enhance liveability."

Policy 6.25 states that "*Development in Mixed Use Areas 2 will include building typologies that respond to their site context including mid-rise and some tall buildings.*"

Policy 6.26 states that "*The scale and massing of buildings will be compatible with the existing and planned context of the neighbourhood, including the prevailing heights, massing, scale, density and building type.*"

In addition, because the subject property is located within 500-800 metres of existing rapid transit stations in the *Downtown*, Policy 6.34 states that development "*...will be planned to accommodate higher density development to optimize the return on investment and increase the efficiency and viability of existing and planned transit service levels.*"

The revised proposal, which is a tall building whose form is generally anticipated in this area, will broaden the mix of uses on its urban block through the addition of residential uses to the mix of residential and commercial uses that already exist satisfying Policies 6.21, 6.22, 6.25 and 6.26.

The revised proposal is within easy walking to the Queen Street West stop of the Toronto Transit Commission (TTC) Spadina LRT and a short walk to the TTC Queen Street Streetcar stop at Queen and Spadina. It is also close to (approximately 1 km) Osgoode Station on the TTC Line 1 Yonge/University subway and therefore conforms to Policy 6.37.

Policy 6.37 deals with development within 500 metres of a rapid transit station and sets out a number of criteria for the development of City planning for such developments. Policy 6.38 notes that Development may proceed in advance of a study referred to in Policy 6.37, provided that the supporting documentation in the application therefore includes consideration of the matters identified in Policy 6.37.

In my opinion the supporting documentation for the revised proposal includes consideration of the matters identified in Policy 6.37.

The revised proposal includes the "appropriate setbacks at grade, in order to provide space for public realm and pedestrian enhancements as a community benefit." as called for in policy 6.38.2 and is "...of high-quality design, with flexible spaces that allow for adaptability over time." as called for in policy 6.38.3 and "...the fine grain pattern of retail uses at grade..." found in the "...existing adjacent local context..." identified in policy 6.39.

Policy 8.27 states that development will generally be required to limit and/or consolidate vehicle access points and will be encouraged to provide facilities for passenger pick-up/drop-off, loading and parking in off-street locations and/or within building footprints, in order to free up on-street curbside and public realm space and improve safety of pedestrians and cyclists.

The revised proposal conforms to Policy 8.27 and related Parking and Curbside Management policies in the Plan. It provides vehicular parking spaces in an underground facility and loading and garbage handling facilities that are fully within the building footprint. All vehicular access to the revised proposal will be located on Richmond Street West which is identified as a Secondary Street in other planning documents.

Built Form related Policies are found in Chapter 9 of the Downtown Plan.

In Policy 9.1 among other matters development is encouraged to contribute to liveability by reasonably limiting uncomfortable wind conditions and providing access to sunlight, natural light, openness and sky-view; expanding and improving the public realm; maintaining adequate privacy; providing high-quality amenity spaces; and conserving heritage; (Policy 9.1.2)

The shadows created by the proposal are minimized by the form of the building and move quickly during the day. The cumulative effect of the additional shadow cast by the building is acceptable and adequately minimizes shadow impacts on neighbouring properties and open spaces – including the City streets in the immediate vicinity.

In my opinion the incremental increase in shadow that will result from the revised proposal is acceptable and combined with the unique sculpted tower design will result in appropriate access to sunlight, natural light, openness and sky-view.

The Gradient Wind report which is part of the original development application confirmed that *“Following the introduction of the revised proposal, all grade-level areas within and surrounding the subject site are predicted to continue to experience conditions that are considered acceptable for the intended pedestrian uses throughout the year. While the introduction of the proposed development is predicted to increase wind speeds in some areas, conditions over the surrounding sidewalks and transit stops, and in the vicinity of all building access points, are predicted to be acceptable for the intended uses throughout the year.”* And *“Wind conditions on the outdoor amenity terraces at Level 3 of the proposed development are predicted to be suitable for sitting throughout the year, which is acceptable.”*

The public realm will be improved by the removal and replacement of four (4) existing street trees and the addition of one (1) new street tree in tree grates on Spadina Avenue West in sidewalk and curb areas rebuilt to City standard details – including a city standard splash strip. The Richmond Street West sidewalk will be rebuilt to City standards. Both Spadina Avenue and Richmond Street West sidewalks provide the required minimum 2.1 metre pedestrian clearway.

The revised proposal maintains adequate privacy conditions by locating its tower element above the height of the existing building immediately to the north and east.

High quality amenity spaces are provided in a number of locations within the revised proposal. Indoor residential amenity areas are located on the 2nd, 3rd and 14th floors. The outdoor amenity spaces are located on the 3rd floor and on the 14th floor in wind protected areas of the building. The Gradient Wind report confirmed

that “Wind conditions on the outdoor amenity terraces at Level 3 and 13 of proposed development are predicted to be suitable for sitting throughout the year, which is acceptable.”

Based on the he relatively minor changes in the revised proposal in the areas referenced above, the revised proposal conforms to Policy 9.1.2.

In Policy 9.8 the plan has design objectives for base buildings, such as:

- 9.8.1. relate to the scale and proportion of adjacent streets, parks and open spaces;
- 9.8.2. fit compatibly within the existing and planned context of neighbouring streetwall heights;
- 9.8.3. relate to the height, scale and built form character of the existing context of both streets when located on a corner lot;
- 9.8.4. animate and promote the use of adjacent streets, parks and open spaces by such means as providing active uses at grade or multiple entrances on long building faces;
- 9.8.5. incorporate appropriate glazing;
- 9.8.6. encourage tree planting, where appropriate; and
- 9.8.7. include high-quality materials and design elements that fit with neighbouring buildings and contribute to a pedestrian scale.

The base building or street wall is comprised of the 13-storey component of the revised proposal, described elsewhere in this report. The base building design is a response to the scale of existing mixed-use buildings in the vicinity, which include both early to mid-20th century masonry buildings which originally accommodated warehouse and manufacturing uses and more recently constructed buildings which contain primarily residential uses such as the District Lofts and the Morgan condominium developments. The base proposed base building maintains the scale of these existing buildings that make up the predominate scale of the local streetwall and is therefore compatible with the scale of the existing and planned contexts.

Active uses in the form of the retail spaces along the Spadina Avenue frontage and a part of the Richmond Street West frontage and the residential lobby space along Richmond Street West make up the majority of the street frontages.

In my opinion the revised proposal conforms to the policies found in Policy 9.8.

The Physical Determinants of Intensity and Scale are dealt with in Policies 9.12-9.16.

Policy 9.13 states that tall building floorplates should be designed to adequately limit shadow impacts of the tower on the public realm and neighbouring properties and maintain adequate sky view from the public realm.

As noted elsewhere in this report, shadows have been adequately limited, falling for the most part in areas of the vicinity that are already experiencing shadow from existing buildings or where shadow from as yet unbuilt approved developments would fall.

Policy 9.15 states that in a tall building, a storey which contains residential units, but does not form part of a base building, will generally have a maximum floorplate size of 750 square metres above the base building. Increases to the 750 square metre floorplate size may be appropriate where the impacts of the larger floorplate, including but not necessarily limited to shadow, sky-view and wind, are addressed.

The proposed tower floorplates above the 13-storey base building have gross construction areas of approximately 601.8 square metres.

Policy 9.17 states that development will seek to adequately limit shadows on sidewalks, parks, open spaces, natural areas, and institutional open spaces as necessary to preserve their utility.

Policy 9.18 states that development will adequately limit net-new shadow as measured from March 21st to September 21st from 10:18 AM – 4:18PM on parks and open spaces indicated on Map 41-13.

There is no net-new shadow cast by the revised proposal on any of the parks and open spaces indicated on Map 41-13.

Policy 9.25 states that built form adjacencies, such as the following, will require a review to determine if any transition to the planned context is required to achieve compatibility...:

- 9.25.3. Tall to tall: through the application of a separation distance, orientation of the tower portions of the building, and, as appropriate, through stepping down of heights.

The proposed tower achieves appropriate separation distances from existing and approved tall buildings in the vicinity. It is located:

- Approximately 47 metres to the west to the existing tower of the Morgan Condominium; and
- Approximately 89 metres to the east to the tower of the 134 Peter Street development.

Policy 9.31 states that development will ensure that outdoor amenity spaces will be sited and designed to address the following:

- 9.31.1. provide for appropriate sky-views and sunlight in the space;
- 9.31.2. generally ensure wind conditions that are suitable for comfortably sitting and standing; and
- 9.31.3. include trees and other landscaping.

The outdoor amenity spaces have been located in the lower levels and at the base of the tower of the revised proposal.

In my opinion the revised proposal conforms to the policies in the Downtown Plan related to built form adjacencies and amenity spaces set out above.

Based on the foregoing, in my opinion the revised proposal at a total of 24 storeys and without undue adverse impacts, conforms to and maintains the general intent and purpose of the relevant policies of The Downtown Plan referred to above.

6.1.10. King Spadina Secondary Plan 2020

The King Spadina Secondary Plan (which is an update to both the original Secondary Plan and a version from 2006 which was subject to an appeal that was never resolved) was adopted by City Council on 20 January 2020. It was brought forward through OPA486. It was approved in an OLT hearing in August 2023 and is in force at the time of the writing of this report.

In the approved 2020 King Spadina Secondary Plan the subject property is located within the East Precinct in the King Spadina Secondary Plan. This is consistent with the designation of the subject property as *Mixed Use Areas 2* in the Downtown Plan as described above. Tall buildings are anticipated in East Precinct.

Policy 4.15. under “Great Streets” states: “King Street, Front Street and Spadina Avenue are Great Streets. These streets are defined by their location, scale and historic role in the city, existing civic significance and their potential contribution to the public realm network. These Great Streets will be prioritized for public realm improvements.”

The public realm will be improved by the removal and replacement of four (4) existing street trees and the addition of one (1) new street tree in tree grates on Spadina Avenue West in sidewalk and curb areas rebuilt to City standard details – including a city standard splash strip and City standard bike rings. The Spadina Avenue sidewalk provides the required minimum 2.1 metre pedestrian clearway in addition to areas suitable for outdoor cafes closer to the building face.

Policy 6.1. under “Built Form” states: “Development will achieve a compatible relationship with the existing and planned built form context through consideration of matters including, but not limited to: building height, massing, scale, height transition, setbacks, tower separation, stepbacks, roof line and profile, and architectural character and expression.”

As noted elsewhere in this Urban Design Report, the revised proposal includes a base building which generally aligns with the setbacks from the street lines that were present in the existing building on the subject property prior to redevelopment. The base building and tower above establish compatibility with the existing and planned built form context by creating a base building which is similar in height to the abutting District lofts building to the east and other existing mixed-use buildings in the vicinity. The tower portion of the development steps back appropriate distances and exhibits an articulated rectangular middle portion which, clearly distinguishing the tower from the base building and, together with the stepped back mechanical penthouse, creates a distinctive but familiar profile against the skyline. The architectural expression of the various elements is consistent, with masonry and stone/precast detailing and punched windows arranged in multi-level vertical groupings throughout, all of which refer to the expression of Spadina Avenue’s existing masonry buildings.

Policy 6.2. under “Improving the Public Realm” states: “Development will contribute to an improved and expanded public realm by providing setbacks from property lines adjacent to streets that:

- 6.2.1. are publicly accessible;
- 6.2.2. can appropriately accommodate the existing and anticipated high volume of pedestrians, including the population that will be generated by the development; and
- 6.2.3. include space for patios and retail displays where retail is planned at grade.”

The Spadina Avenue boulevard area in front of the subject property is already approximately 8.3 metres deep and currently accommodates a wide sidewalk area, street trees and outdoor café seating areas. Proposed improvements to this area are described above. The revised proposal generally occupies the same footprint as that of the existing building, with the exception of a 2-storey setback area along the Richmond Street West frontage. This sidewalk will achieve the City’s minimum 2.1 metre pedestrian clearway and establish a 6.0metre distance between the curb and ground/second floor face.

Policy 6.3. under “Base Buildings” states: “Development will provide stepbacks on all elevations facing public streets, not including laneways. The stepbacks:

- 6.3.1. will be a minimum of three metres above the height of the streetwall or base building;
- 6.3.2. will be free of any projections; and
- 6.3.3. may be required to be greater than three metres to conserve the existing heritage resources or address the built form character on the street.”

The revised proposal provides stepbacks above the height of the streetwall that meet the intent of Policy 6.3.3 by providing a typical setback of 3.0 metres. There are exterior private terraces at the levels where the floor plates step back. No projecting balconies are proposed.

Policy 6.4. under “Creating a Comfortable Microclimate” states “No net-new shadow shall be cast on the north sidewalk of Queen Street West, particularly in the spring, summer and fall, in accordance with the Queen Street West Heritage Conservation District Plan.”

The revised proposal fully conforms to a 45-degree angular plane projected from the curb of the sidewalk on the north side of Queen Street West and will result in no net new shadow on that sidewalk in accordance with the Queen Street West Heritage Conservation District Plan.

Policy 6.6. under “Transition” states: “Height Transition Zones are shown on Map 16-4. While the intensity, massing and height of development within a Height Transition Zone will vary, heights will be limited by the following:

- 6.6.5. In Height Transition Zone E, a 45-degree angular plane taken from the curb on the north side of Queen Street West will be applied to development. Development will fit beneath the angular plane. The angular plane will not extend beyond the southern boundary of Height Transition Zone E.”

The subject property is located in Transition Zone E and is located within the East Precinct. The revised proposal has been designed to fully fit beneath the angular plane taken from the curb on the north side of Queen Street West. See figure 11.

Policy 6.8. under “East Precinct” states: “Development will include a diverse range of building types, including tall buildings, with the appropriate height, scale and massing determined by:

- 6.8.1. the site characteristics, including but not limited to site size, orientation, configuration and location;
- 6.8.2. the ability of the development to provide the appropriate setbacks, stepbacks and separation distance from other buildings and from all property lines; and
- 6.8.3. ensuring that building heights in the East Precinct shall be subordinate to the building heights of the Financial District north of Front Street.”

Policy 8.1. under “Monitoring, Implementation and Development Approvals” states: ‘For the purposes of this Plan, net-new shadow is defined as: shadows cast by a revised proposal in excess of the shadow already cast by existing buildings and structures, including those permitted by in-force Zoning By-laws as of” 20 January 2020.

The revised proposal fully conforms to a 45-degree angular plane taken from the curb on the north side of Queen Street West.

As described elsewhere in this report, the revised proposal has been designed to specifically respond to the scale and character of the existing masonry warehouse and manufacturing buildings of the area. The proposed tower element will not be subject to any clustering with other towers and as a result will not noticeably diminish views of the sky from the nearby public realm. While it will be the tallest building its immediate vicinity, it will be subordinate in scale and lower in height than the building heights of the Financial District (and subordinate to the majority of existing and approved tall buildings in the east Precinct as well). Please see Figure 2 Context Aerial View from The North West.

The subject property has not been identified as an Area of Special Identity and there are no Site and Area Specific Policies applying of the subject property.

Based on the foregoing in my opinion the revised proposal would conform to the 2020 King Spadina Secondary Plan were it to be in full force and effect.

6.1.11. City Wide Tall Building Guidelines

The City of Toronto city-wide Tall Building Design Guidelines were updated and consolidated in 2013. These guidelines now also include a Supplemental Vision and Design Guidelines for Tall Buildings in Downtown Toronto. The revised proposal is considered a "tall building" and the city-wide Tall Building Design Guidelines apply and should be considered and evaluated. The Supplemental Vision and Design Guidelines for Tall Buildings in Downtown Toronto do not apply, as the subject property is part of an existing Secondary Plan.

The Tall Building Guidelines contain recommendations regarding the following:

1.1 Context Analysis

1.3 Fit and Transition in Scale

1.4 Sunlight and Sky View

1.6 Heritage Properties and Heritage Conservation Districts

2.1 Building Placement

2.2 Building Address and Entrances

2.3 Site Servicing, Access, and Parking

3.1 Base Building

3.1.1 Base Building Height and Scale

3.1.2 Street Animation

3.1.3 First Floor Height

3.1.4 Façade Articulation and Transparency

3.2 Middle

- 3.2.1 Floor Plate Size and Shape
- 3.2.2 Tower Placement
- 3.2.3 Separation Distances
- 3.2.4 Tower Orientation and Articulation

3.3 Tower Top

4.1 Streetscape and Landscape Design

4.2 Sidewalk Zone

4.3 Pedestrian Level Wind Effects

4.4 Pedestrian Weather Protection

In the vicinity of the revised proposal and in the East Precinct of King Spadina in general we can see many existing buildings that are: similar or greater in total height; and have different tower setbacks from those which the City's tall building guidelines recommend.

The revised proposal satisfies the intent and meets the specifics of the majority of the recommendations found in the Tall Building Guidelines related to Fit and Transition in Scale, Sunlight and Sky View, Heritage Properties and Heritage Conservation Districts, Building Placement, Building Address and Entrances, Site Servicing, Access, and Parking, Base Building Height and Scale, Street Animation, First Floor Height, Façade Articulation and Transparency, Tower Orientation and Articulation, Tower Top, Streetscape and Landscape Design, Sidewalk Zone, Pedestrian Level Wind Effects and Pedestrian Weather Protection.

The design approach in the revised proposal differs from the recommendations of the Tall Building Guidelines as discussed below.

Separation distances to nearby existing and approved tall buildings have been discussed in section 6.3.9 above. The proposed tower setbacks generally satisfy the intent of the Tall Building Guidelines. The proposed 3.0 metre tower setback from the north property line and 5.5 metres from the east property line – opposite which are existing buildings that are lower than the proposed base building and unlikely to redevelop as towers in the future.

In my opinion, appropriate light view and privacy conditions between principal windows can be achieved at these distances. The proximity of the proposed tower to the property line shared with existing buildings occurs primarily above the roof of those buildings and therefore will not result in an appreciable difference in the view of the sky available from the public realm that surrounds the urban block.

The revised proposal exhibits the tripartite composition than that which is recommended by the Tall Building Guidelines. The revised proposal creates a base building with a street wall height that is similar to that found on Spadina Avenue in the existing masonry warehouse/manufacturing buildings and more recent mixed-use/residential developments. The tower setbacks of 3.0 metres (and 5.5 metres on the east) satisfy the recommendations in the Guidelines and are, in my opinion, sufficient to allow the streetwalls to be legible.

As confirmed in the original Wind Study, no undue adverse wind impacts will result on the public realm or adjacent properties. The tower stepbacks increase at the corners of the tower, assisting with the legibility of the upper parts of the base building.

The typical tower floor plate at 601.8 square metres is smaller than the maximum of 750 square metres recommended in the Guidelines.

As described elsewhere in this report in detail, the tower element is highly articulated and, in my opinion, satisfies the recommendations on floor plate size.

On balance, in my opinion, the revised proposal responds well to the intent and objectives of the recommendations of the City-wide Tall Building Design Guidelines.

6.1.12. OPA 352 (SASP 517) and By-laws 1106-2016 and 1107-2016

OPA 352 was adopted by Council in 2016 and subject to numerous appeals. This policy and the associated by-laws were approved in a modified form by the OLT in May 2021 and are now in full force and effect as SASP 517.

OPA 352 was developed as part of the TOCore initiative, under which the Downtown Plan was also developed. It was intended to provide specific policies with respect to the development of tall buildings within the Downtown area.

SASP 517 does not include any numerical standards (which instead have been included in the accompanying zoning by-law amendments), but rather takes a qualitative approach that appropriately takes into account special circumstances.

SASP 517 refers to the associated by-laws for numerical standards for tower setbacks and includes criteria for potential relief from the standards through rezoning or minor variance. The criteria for approval of relief from the standards include demonstrating that the proposed setbacks will:

- a. provide a high-quality, comfortable public realm;
- b. consider development potential, where appropriate, of other sites within the block;
- c. appropriately limit shadow impacts on the public realm and surrounding properties;
- d. provide appropriate access to natural light and protect privacy for occupants of tall buildings;
- e. provide appropriate pedestrian-level views of the sky between towers as experienced from adjacent streets, parks and open spaces; and
- f. appropriately limit and mitigate the impacts of uncomfortable wind conditions on streets, parks, open spaces and surrounding properties.

The policies also include direction for the review of such minor variance or zoning applications in the determination of the above noted policy objectives are met to consider the existing and planned context of a revised proposal including but not limited to:

- a. the use of the proposed tall building and adjacent properties;
- b. the physical relationship between tall buildings, including the extent to which the buildings can be located, oriented and designed to mitigate impacts; and/or

- c. development potential, where appropriate, of other sites within the block, including agreements, such as limiting distance agreements, heritage easement agreements, or air rights agreements, between landowners and the City.

SASP 517 also states that, *“The policies in this SASP are not intended to apply to mid-rise buildings and may be applied to other tall building typologies that differ from the tower-base form, where appropriate.”*

By-laws 1106-2016 and 1107-2016 require the following with particular relevance to the revised proposal:

Buildings with a height greater than 36.0 metres must maintain building setbacks as for the portions of the building that collectively enclose the entirety of a storey with a height greater than 24.0 metres:

the greater of:

- (a) 3.0 metres from a lot line that abuts a street; and
- (b) 12.5 metres from the centre line of that abutting street.

at least 12.5 metres from the centre line of an abutting lane; and

at least 12.5 metres from a lot line having no abutting street or lane.

Parts of such buildings with a height greater than 24.0 metres are prohibited from having projections into required setbacks nor encroachments into the required separation distances such as: bay windows; box windows; other window projections; exterior stairs; and/or access ramps.

However, parts of such buildings with a height greater than 24.0 metres are permitted to encroach into separation distances required by these by-laws with a variety of elements including:

- platforms, such as a balcony, projecting up to 1.5 metres;
- a canopy, awning or similar structure, with or without structural support, or a roof over a platform projecting up to 1.5 metres;
- architectural features, including a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature projecting up to 0.3 metres;
- eaves, projecting up to 0.9 metres; and
- equipment, including a vent or pipe, projecting up to 0.6 metres.

The by-laws indicate that despite these permissions, such building elements must not penetrate into a required angular plane.

The revised proposal is a canyon form tall building – similar to those that are considered in the City’s Downtown Tall Buildings: Vision and Supplementary Design Guidelines (Adopted by Toronto City Council July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). As noted above, these guidelines do not apply to the subject property because it is in an area with an in-force Secondary Plan in 2012 when they were approved.

It is worth noting that in section 1.8 of the “Downtown Tall Buildings Project” study process that led to Council adoption of the Downtown Tall Buildings Vision and Performance Standards Design Guidelines in July of 2012 concluded that Spadina Avenue is not a High Street and should not have any heights or standardized building typologies assigned to it.

Due to the special heritage character of Spadina Avenue, City Planning staff were instructed by Council to conduct a further study of Spadina Avenue for the segment between Bloor Street West and Queen Street West, north of the subject property. At the time of the writing of this report this study has not been completed.

Notwithstanding the above, the characterization of an area where canyon form buildings would be appropriate found in section 2.1 of the Downtown Guidelines is, in my opinion, relevant to the consideration of the built form of Spadina Avenue in the vicinity of the subject property. In that section a canyon form street *“...is characterized by high street walls with buildings that have been built to cover the full width of their sites. This condition is a historic one that was once strongly encouraged by the former (pre-amalgamation) City of Toronto and will continue in those locations where it is currently found.”* ... *“Along Canyon Form street segments, the base height of any new tall building should be built to the height of the existing street wall line...”* and *“Above this street wall canyon height, the tower should be set back...”* The Downtown Guidelines refer internally to further guidance that is provided in sections 3.1.1 and 3.2.2. In the case of the subject property, we can refer to SASP 517 and the associated by-laws.

The Downtown Guidelines include specific canyon form street wall heights, but of course do not provide information on Spadina Avenue. My review of the existing built form of Spadina Avenue, which is admittedly quite diverse in terms of building heights, indicates that as an ensemble, the most significant buildings along its length exhibit the criteria for a canyon form street as set out in the guidelines.

My review, which includes reference to the Heritage Impact Assessment and architectural context analysis that accompanied the original development application, also indicates that a canyon form base building height for the segments of Spadina Avenue between Queen Street West and Adelaide Street West could be as high as 47.0 metres. This is a height that is similar to that of the Balfour Building at 199 Spadina Avenue and the uppermost residential floors of the Morgan condominium at 438 Richmond Street west on the west side of Spadina Avenue.

The street wall canyon height of 13 storeys and approximately 40.7metres is established in the revised proposal. Above, the tower element is set back on all four faces.

Based on the foregoing, in my opinion the revised proposal is an appropriate “other” tall building typology - which differs from the tower-base form - as set out in SASP 517 (v), and therefore the policies of SASP 517 apply.

As noted above, the policies of SASP 517 indicate that there is the potential relief from the bylaw requirements for tower setbacks from property lines. The draft Zoning By-law amendments that are part of the development application include amendments to those requirements.

The tower setbacks are described in detail in this report and analysed with regard to potential impact on: the public realm; development potential of other sites on the block; shadow impacts on the public realm and surrounding properties; light view and privacy; sky views from the public realm; and wind conditions on streets, parks, open spaces and surrounding properties.

On the basis of this analysis which considers both the existing and planned context, in my opinion the revised proposal is an appropriate tall building on its urban block and on its segments of Spadina Avenue and Richmond Street West. The tower element has been appropriately designed to mitigate impacts such as

shadow, wind, overlook etc. The revised proposal will not negatively impact or restrict development potential of other sites within the block.

In my opinion, the revised proposal meets the criteria for relief from the specific standards to permit the 3.0-5.5 metre tower setbacks from the street and north and east property lines shared with District Lofts to the east and 161 Spadina Avenue to the north.

The revised proposal therefore conforms to the policies of SASP 517 and satisfies the intent of By-laws 1106-2016 and 1107-2016.

6.2. City of Toronto Zoning By-law

The City's harmonized Zoning By-law 569-2013 has been passed by City Council but appealed to the Local Planning Appeal Tribunal (LPAT) (now OLT). The City's new Zoning By-law zones the subject property "Commercial Residential Employment" (CRE x80).

The revised proposal requires an amendment to the Zoning By-law for an increase in height and other development standards that are intended to be tailored on a site-specific basis such as setbacks.

Draft Zoning By-law Amendments to City of Toronto Zoning By-law 569-2013 have been prepared by Bousfields.

I have reviewed the Zoning By-law Amendments and concur with Bousfields that, if approved, these would be appropriate instruments to permit the revised proposal.

6.3. Site Plan Control

The revised proposal is subject to Site Plan Control. An application for Site Plan Approval has been submitted. (application 21 236578 STE 10 SA - Under Review - 10/11/2021).

A revised application will be submitted following the zoning approval.

7. Conclusion

The revised proposal fits appropriately into its existing and planned contexts.

It achieves important urban design objectives found in the relevant policy and guideline documents. Chief among these are:

- Framing the street edge at an appropriate scale;
- Providing appropriate levels of light view and privacy to existing adjacent developments; and
- Providing adequate access to light and sky views from the public realm and appropriately limiting shadowing and adverse pedestrian level winds on neighbouring streets, properties and open spaces.

The revised proposal is a high-quality architectural design that responds appropriately to the subject property and its surroundings.

The revised proposal constitutes a good urban design response to its surroundings, which achieves the goals of the City-Wide Tall Building Guidelines.

Key urban design considerations in the design of the revised proposal related to the Tall Building Guidelines include:

- Provision of an appropriately scaled street defining building;
- Appropriate step backs of the revised proposal above the street defining base building which itself respects the scale of the existing buildings along both Spadina Avenue and Richmond Street West;
- Access to the residential lobby directly from Richmond Street West;
- Creation of a slender tower that establishes appropriate separation distances to existing, approved and potential tall buildings in the immediate vicinity which will not result in undue adverse impacts in terms of shadow, wind or sky views;
- Provision of loading facilities that are appropriately located away from view from the public realm; and
- Providing adequate indoor and outdoor amenity areas to future residents as well as improved streetscaping along the street frontages.

The revised proposal exhibits an appropriate architectural and urban design response to its context, is good planning and is in the public interest.

Acronym Urban Design and Planning
Mark Sterling Consulting Inc.

A handwritten signature in black ink that reads "Mark Sterling". The signature is written in a cursive, flowing style.

Mark Sterling BES, B.Arch, OAA, FRAIC, MCIP, RPP
Principal



Acronym

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