

**21-31 Widmer St & 299 Adelaide Street West – Rezoning
– Final Report**

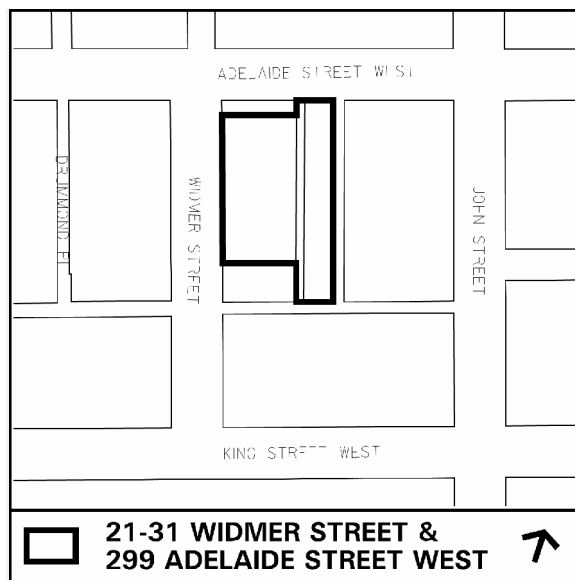
Date:	June 3, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	08 118571 STE 20 OZ

SUMMARY

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

This application proposes a 43-storey mixed use building at 21-31 Widmer St.& 299 Adelaide Street West, with approximately 430 residential units and approximately 1,300 square metres of non-residential space, including retail and community/ performance space. Four above grade parking levels and four below grade parking levels are proposed, two of which comprise commercial parking. Previous Council permission (By-law 95-2006) permitted a 25 storey mixed use building on the site.

The proposal replaces a commercial surface parking lot with residential units, including a proposal to include affordable Habitat for Humanity units, retail, and community/ performance space. It is consistent with the emerging built form study in that it is located within an area that can accommodate tall buildings without destabilizing the warehouse built form character of the area. The proposal generally meets the intent of the 2006 King Spadina Urban Design Guidelines, and the Tall Building Guidelines.



This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning By-law for the lands at 21-31 Widmer St. & 299 Adelaide Street West substantially in accordance with the draft Zoning By-law Amendment, to be provided at the June 23, 2009 meeting of Toronto and East York Community Council.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the Bills for enactment, City Council authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:
 - a. An indexed cash contribution to be paid prior to the release of any above grade permit, for any or all of the following: affordable housing projects in Ward 20, improvements to the proposed community/ performance space, local parks improvements and streetscape improvements to Widmer Street, John Street, and Adelaide Street;
 - b. Part of the cash contribution to be provided at the passing of Bills, for the purpose of contributing to one or more Heritage Conservation District studies within the East Precinct of King-Spadina;
 - c. The provision of a community/ performance space in the building, having a minimum gross floor area of 420 square metres, to be secured via a Letter of Credit satisfactory to the Chief Planner and Executive Director, City Planning Division, for the value from the sale of parts of a 3.048 metre wide public laneway that runs north-south through the site. This provision will be subject to a determination by City staff that the value of the performance space is equivalent to the value of the lane, and if not, the applicant will pay the difference;
 - d. A public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost, at least 50% of which is to be applied to the treatment of the building podium;

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

- e. The provision of a minimum of two affordable ownership units in the building to Habitat for Humanity or another housing provider, with the conveyance of the affordable ownership units to be in a form acceptable to the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - f. A minimum of ten percent (10%) of the residential units in the building have at least three bedrooms, or be convertible to three or more bedrooms;
 - g. 1:50 scale elevations, satisfactory to the Chief Planner and Executive Director, City Planning Division, for the lower floors of the project to be provided as part of a revised application for Site Plan Approval;
 - h. The implementation of any wind mitigation measures required by the wind study; satisfactory to the Chief Planner and Executive Director, City Planning Division, to be submitted as part of a revised application for Site Plan Approval;
 - i. The provision and maintenance of an irrigation system, at the applicant's expense, for proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirements to maintain in good order and operation; and
 - j. Certain green development elements, satisfactory to the Chief Planner and Executive Director, City Planning Division, as may be identified in the Green Development Checklist.
4. Authorize the appropriate City officials to resume the process to stop up and close parts of the 3.048 metre wide public laneway that runs north-south through the site. The Zoning By-law amendment would be conditional on the closing of the lane.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Prior Site-Specific Permissions

In 1990, the Committee of Adjustment approved variances applying to the westerly portion of the site permitting a 14-storey (58.6 metre) commercial-industrial building with a non-residential gross floor area of 14,660 square metres. However, the owner did

not proceed with the proposal and the King-Spadina Zoning By-law did not recognize this permission when it was adopted in 1996 (By-law 1996-0238).

This site was the subject of a previous rezoning application for which Council approved Zoning By-law 95-2006 to permit a 25 storey building with a height of 75.0 metres to the main rooftop and 86.5 metres to the top of the mechanical penthouse. A Site Plan Approval application was not submitted and the project was not built.

King-Spadina Built Form Review

In 2005, a review of the King-Spadina Secondary Plan was initiated by Council to evaluate specific matters related to entertainment uses in the area, community infrastructure, built form policies and the policies related to the public realm. In September 2006, City Council enacted amendments to the King-Spadina Secondary Plan and RA zoning to update the planning framework for the Plan area (Official Plan Amendment 921-2006 and Zoning By-law Amendment 922-2006). The amendments represent Council's current position on the planning framework for the King-Spadina Plan Area. The amendments to the Secondary Plan refined certain policies and updated maps to reinforce the original intent of the Plan to protect and enhance the area's unique physical attributes and heritage warehouse character. A new policy 3.7 provides criteria for considering tall buildings in certain parts of the East Precinct, which include setbacks above the base building and a requirement to not export facing distance constraints onto adjacent sites. The Zoning By-law Amendment includes a provision that permits an additional 5 metres of building height, including mechanicals, subject to the mechanicals being wrapped and falling within a 45 degree angular plane from the street, for a total height of 35 m.

The amendments are currently under appeal to the Ontario Municipal Board by some area owners and developers. A series of pre-hearing conferences have resulted in many appeals being withdrawn or settled. The hearing has been deferred with the consent of all parties, until November 2009.

King-Spadina East Precinct Built Form Study

In April 2008, Council directed staff to undertake a further study of the built form in the East Precinct of the King Spadina Secondary Plan Area, in response to the large number of applications that continued to challenge the planning framework of the area. This study is currently underway and has identified areas within the East Precinct that can accommodate more height than currently permitted as-of-right. The subject site is within an area where staff have identified the potential for some additional height. Further work will provide specific recommendations with respect to height, built form and performance criteria for proposals seeking additional height. It is intended that a progress report be presented to Toronto and East York Community Council in June 2009.

ISSUE BACKGROUND

Discussions with the Applicant

The original application submitted in March 2008 consisted of a 38-storey residential tower above a 6-storey podium, totalling 44 storeys (approximately 132.5 m tall), containing 452 units and approximately 885 square metres of retail. The building included a relatively complicated floor plate that ultimately proved very difficult and costly to construct, and a podium with a contemporary glass architectural expression that had little relation to the heritage built form context surrounding the site.

In June 2008, the applicant took part in a City-led urban design charette intended to address proposed redevelopment of the city block bound by Adelaide Street West to the north, John Street to the east, King Street West to the south, and Widmer Street to the west. In addition to the subject site, the applicant is developing the TIFF/Bell Lightbox site along the King Street West frontage of the block. There is an application to redevelop the northeast portion of the block (municipally known as 295 Adelaide Street West and 100-104 John Street), currently occupied by a parking lot, as a 43-storey hotel and a residential condominium.

The urban design charette examined the relationships of buildings on the block, with particular emphasis on pedestrian circulation, grade related uses and tower siting. As a result of the charette, the following changes were made to the proposal.

- the proposed tower was shifted south to achieve 25 m separation between the three approved and proposed towers on the block;
- the podium was redesigned in order to better fit with the warehouse form and materiality within the King-Spadina area;
- the existing laneway between the proposed building and the proposal at 295 Adelaide/ 100-104 John Street was redesigned as a pedestrian-scaled courtyard;
- a servicing area at the rear of the buildings was proposed to coordinate parking, loading and servicing operations between the proposed towers on the block;
- mid-block connectivity was provided between the subject proposal and the proposal at 295 Adelaide/ 100-104 John Street;
- the tower floor plate was simplified and reduced;
- the tower height was increased.

Subsequent discussions between staff and the applicant have resulted in a further reduced floor plate and a slight reduction in height.

Proposal

The proposal is for a 37-storey tower above a six-storey podium for a total of 43 storeys (142.8 m including mechanical penthouse), containing residential units, community/performance space and retail uses. The total proposed gross floor area is approximately

37,600 square metres, including approximately 870 sq. m of retail and a minimum of 420 square metres of community/ performance space, resulting in a density of approximately 13.67. Approximately 430 residential units are proposed. The proposal also includes a minimum of two units to be assigned to Habitat for Humanity, with a possible additional two units to be provided through the Section 37 contribution.

The podium will occupy the entire site, with a proposed height of approximately 20 m to relate to both the podium of the TIFF/ Bell Lightbox podium, and the house form buildings on Widmer Street. A 3-storey glass enclosure is proposed on Adelaide Street West and wraps onto the laneway to the east, providing access to retail. In addition to retail uses, the podium includes a residential lobby with access from Widmer Street and community/ performance space. Residential amenity space is provided on floors 6 and 7. An above-grade outdoor terrace is proposed at the northeast corner of the podium. The terrace is connected to a landscaped roof that stretches the length of the podium along the east edge of the building, with a pool terrace at the southwest corner.

Four levels of above grade parking and four levels of below grade parking are proposed. The parking areas will also include building functions such as loading, mechanical, and lockers. Three of the below-grade parking levels contain commercial parking. The total parking proposed is 402 spaces, including 145 commercial parking spaces. The application proposes to screen the above-grade parking within the podium with masonry and special decorative back-lighting of the windows, which could comprise part of the public art component of the proposed development. The above grade residential parking is proposed to be accessed from the east-west laneway to the south of the podium, and the below-grade commercial and residential parking is proposed to be accessed from Widmer Street.

The existing lane to the east is proposed to be widened by 0.715 metres, which would allow the lane to be widened to a full 6 metres if a similar widening is ultimately acquired from the lands to the east. The ground level of the podium is proposed to be set back 2.1 metres from the edge of the lane as widened, to allow additional space for circulation. The north part of the lane is intended to act as an informal mid-block pedestrian connection, with links through the proposed building to Widmer Street, and to John Street through the proposed development at 295 Adelaide Street West/ 100-104 John Street. Two loading spaces are provided along the east edge of the site in a common service bay at the south end of the lane, with direct access to retail, the performance space and garbage room areas.

Site and Surrounding Area

The site fronts on both Widmer Street and Adelaide Street West. At the north end of the site abutting the corner of Widmer and Adelaide Streets are a pair of semi-detached houses. One house, located at 33 Widmer Street/ 303 Adelaide Street West (The Corned Beef House restaurant), is not a part of the site although it is attached to a semi-detached house, currently used as a restaurant, that is proposed to be demolished as part of the development. The south end of the site abuts a building at 7-11 Widmer Street (Champs Food Supplies) that is not included in the proposal. The remainder of the site is used as a

commercial parking lot, as well as a temporary presentation centre for the Bell Lightbox development, along with several temporary construction trailers to the rear of the presentation centre which are being used for construction.

The site includes a City-owned 3.048 m-wide north/south lane running through the length of the site. The applicant has applied to the City for permission to “stop up and close” part of the lane.

The subject site is surrounded by the following uses:

North: a semi detached building in commercial use (The Corned Beef House restaurant) that is attached to a building that is included in the site; and low rise commercial uses on the north side of Adelaide Street, including six two-storey Victorian row houses currently used for commercial purposes;

East: two City owned lanes separated by a strip of land that forms a part of this application; and a primarily vacant site at 295 Adelaide/ 100-104 John Street currently used as a commercial surface public parking lot that is the subject of an application for a 43-storey building (125 m plus mechanical) (Application No. 08 163452 STE 20 OZ);

South: a lane separates the site from the approved 42-storey project containing the Toronto International Film Festival (5 storeys) and a residential condominium (37 storeys) by the same applicant as this proposal; and

West: directly to the west at the southwest corner of Adelaide Street West and Widmer Street, is a small surface parking lot. Six contiguous, two-storey listed row houses constructed in 1876 (10-20 Widmer Street), are to the south of the parking lot. To the south of the houses is another small parking lot, and further south is the former Holiday Inn, now Hyatt hotel (25 storeys, 75 m). A 10-storey office building (the Commodore Building) listed on the City’s inventory of heritage properties, is to the west of the parking lot at the southeast corner of Adelaide Street West and Peter Street (317 Adelaide Street West).

Provincial Policy Statement and Provincial Plans

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan locates the subject site within the *Downtown*. Chapter Two – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings.

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

The site is designated *Regeneration Area* in the Official Plan, which permits the proposed residential and commercial uses.

King-Spadina Secondary Plan

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

The policies of Section 3.6 – General Built Form Principles specify that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression. The policies encourage buildings to be located along the street edge with lower levels providing public uses accessed from the street; encourage servicing and parking to be accessed from rear lanes; new buildings to be sited for adequate light, view and privacy; compatibility with the built form context; provide appropriate proportional relationships to streets and open spaces; and minimize wind and shadow impacts on streets and open spaces.

Section 6.3 of the Secondary Plan specifically encourages the removal of surface parking lots and prohibits the establishment of new surface parking lots or the expansion of existing lots. Policy 6.3(c) provides that new or replacement parking spaces should be provided below grade, while Policy 6.3(d) specifies that above-grade accessory parking will conform to the built form principles in Section 3.6.

By-laws 921-2006 and 922-2006, which are under appeal to the Ontario Municipal Board, proposed amendments to the King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Plan, re-emphasizing that new development should respond to the unique physical character of the area. By-law 921-2006 proposed a new Policy 6.3(e) regarding commercial parking. It would allow for the evaluation of proposals for commercial parking in mixed-use buildings on the basis of the ability to locate vehicle and pedestrian access on public streets in locations that minimize impacts and to physically separate commercial parking from accessory parking serving the development.

King-Spadina East Precinct Built Form Study

The subject site is located within the King-Spadina Secondary Plan East Precinct area. This area has been the subject of a significant number of development applications that are well in excess of permitted building heights and do not meet the built form policies of the Secondary Plan. In April 2008 Toronto and East York Community Council, directed Planning Staff to review the existing built form policies in the East Precinct, as noted in motion no. TE 14-70. The study is in progress. Preliminary work has identified the block within which the subject site is located as a potential location for additional height, subject to appropriate performance criteria. Specific considerations for this block are to maintain the landmark status of the TIFF / Bell Lightbox tower as per Council's approval of that project, and to step heights down to the north towards the warehouse district and the Queen Street West Heritage Conservation District. Additional work is required to prepare specific guidelines regarding height, built form and performance criteria to guide future development, however, staff have been working cooperatively with this applicant and are of the opinion that this proposal generally meets the direction of the study.

King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines (2004) support the implementation of the King-Spadina Secondary Plan. Updated King-Spadina Urban Design Guidelines were endorsed by Council in September 2006. The updated Guidelines seek to encourage buildings with podiums that relate to nearby historic buildings, and evaluate tall buildings in terms of massing and height, and impacts on light, view, privacy, sunlight access and wind conditions, as well as ensuring that the potential for other sites appropriate for tall buildings to develop in a similar manner is maintained. In addition, setbacks between 3 and 9 m are encouraged so that tall portions of buildings do not overwhelm the street wall. In addition to these Guidelines, tall buildings are to be assessed in accordance with the City's Tall Building Design Guidelines, including guidelines for tower separation and sky view and shadow impacts. The Urban Design Guidelines also encourage publicly accessible open space and recognize that lanes are often used as pedestrian short-cuts.

City of Toronto Tall Building Guidelines

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

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA zoning permits a range of uses and a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. The Zoning By-law permits development to the front lot line and to the side lot lines to a depth of 25 metres. Beyond a depth of 25 metres, a 7.5 metre setback is required. A 7.5 metre setback to the rear lot line is also required. Section 12(2)246 of the Zoning By-law requires a 3-metre stepback above 20 metres on all street frontages.

Above-grade parking garages are permitted within the RA zone, provided that the parking is accessory to the uses on the lot and that any part of a parking garage located on the ground floor (specifically, between grade and a height of 4 metres) is setback a minimum of 10 metres from any street line, with intervening uses located between the parking and the street line.

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

The westerly portion of the site (21 Widmer Street) is subject to site-specific By-law 95-2006. By-law 95-2006 permits the construction of a 25-storey residential tower, with a height of 86.5 metres to the top of the mechanical penthouse.

By-law 922-2006 proposes to add an exception in Section 12(1)(473), specific to the subject site, effectively “grandfathering” By-law 95-2006.

Site Plan Control

The proposed development is subject to Site Plan Approval. An application was received in December 2008 and is in circulation.

Reasons for Application

The application proposes a height of 142.8 m including the mechanical penthouse. This exceeds the maximum permitted building height of 86.5 m by 56.3 metres.

A number of other variances are required for the proposal, including:

- Setbacks from rear and side lot lines
- Tower step back beyond a 20 m height
- Permitted projections such as balconies
- Permission for a commercial parking garage on the site

Community Consultation

A community consultation meeting was held on June 25, 2008. Issues were limited to questions of clarifying the uses in the podium, the location of the tower on the site and its floor plate, and the possibility of a pedestrian walkway through the lane. In response to a question about whether there would be changes to the building if the two buildings flanking the site on Widmer were included in the proposal, the applicant responded that there would be additional retail in the podium level.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS by proposing intensification within a built-up urban area near higher-order transportation.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe, by proposing intensification within the Downtown, which is identified as an Urban Growth Area.

Land Use

The replacement of a large surface parking lot with a residential mixed-use development is consistent with the policy direction of the Official Plan and King-Spadina Secondary Plan.

Height and Massing

The proposal provides a 37-storey tower atop a 6-storey podium at a total height of 142.8 metres including mechanical. The podium height of 25.7 metres is consistent with the street wall created by the 35 metre high podium of Bell Lightbox to the south, and provides a street width to height ratio of approximately 1:1 along Widmer Street, providing an appropriate pedestrian scale. The proposed masonry cladding relates to the materiality of nearby warehouse buildings. Street animation on Widmer and Adelaide Streets is provided with grade-related uses including retail, residential lobby and

community/ performance space. The top level of the podium steps back from the east property line to increase the separation distance from the adjacent proposed development at 295 Adelaide Street West/ 100-104 John Street.

The podium includes four levels of above-grade parking. The RA zoning permits above-grade parking as an accessory use. Zoning By-law 438-86 also requires that parking at the lower levels (between grade and 4 metres) be fronted by other uses for a minimum depth of 10 metres from any streetline. The proposed above-grade parking complies with this zoning requirement. In the opinion of staff, above-grade parking is not a desirable condition in King-Spadina. It reduces active uses overlooking the street frontage, creating blank space that provides no “eyes on the street”. The zoning permission for above-grade parking in this RA district is intended to facilitate the retention of heritage buildings that can not accommodate parking below grade. The ability to provide parking below grade is one of the measures of appropriate density on a site. Permitting above-grade parking for a new development has the potential to set a negative precedent that has the effect of encouraging over-intensification within King-Spadina and other areas under development pressure.

In the original application, above-grade parking was fronted with residential units (townhouse units along Widmer Street) and retail. This would be a preferable condition, providing animation to the street. The redesign of the podium’s materials provide a much improved architectural relationship to the warehouse and house form heritage character of Adelaide Street and Widmer Street. The current proposal screens the above-grade parking in a way that creates a condition similar to the screening of the theatre space of the TIFF podium. Decorative back-lit windows will further screen the parking from pedestrian view, and will be secured in the Section 37 agreement as a component of public art along the street.

The tower is articulated with a concave floor plate of approximately 875 square metres. This is larger than the 743 square metre floor plate favoured by the Tall Building Guidelines, however it is an improvement over the originally proposed floor plate of 978 square metres. The site is relatively large and the positioning of the tower allows a 25 m separation distance to be achieved from the adjacent proposed tower at 295 Adelaide Street West/ 100-104 John Street. The tower is adequately set back 12.5 m from the east face of the tower to the midpoint of the north-south lane, meeting the recommended separation distance in the King-Spadina Urban Design Guidelines and the Tall Building Design Guidelines. The tower is set back from the Adelaide Street West property line by almost 19 metres. The set back from Widmer Street varies from 0 m at the northern part of the tower to approximately 5.7 m further south, excluding balconies.

Staff have worked with the applicant and acknowledge that many positive improvements have been made to the overall massing and design of the project. In this context, staff have agreed to accommodate the above grade parking provided it is massed to create an appropriate podium and acknowledging that the 145 commercial parking spaces in the project will support the Film Festival project. Staff will continue to work with the applicant to minimize the impact of above-grade parking through the Site Plan review

process. The larger tower floor plate, as compared to the suggested Tall Buildings Guidelines, is acceptable only in the context of a comprehensive plan for the block that meets the tower separation guidelines and locates a maximum of three towers on the entire block.

In the opinion of staff, it is important to maintain the visual prominence of the 157-m Bell Lightbox by providing a height difference that is readily perceived from a pedestrian perspective. The original height proposed for the tower was approximately 132 metres, approximately 25 metres lower than the Bell Lightbox. This height would have created an acceptable stepping to the lower scaled warehouse and Queen West districts. The current proposal of 142.8 to the top of mechanical achieves a smaller step. A larger step would be a more appropriate solution, to allow the proposed building to better “read” as lower than Bell Lightbox and to create a better transition to the north, however staff can accept the proposal contingent on all other positive aspects of the project being maintained.

Sun and Shadow

The proposed development will have no shadow impact on any public parks. It will shadow the John Street open space that is part of the adjacent proposal at 295 Adelaide Street West/ 100-104 John Street, in the late afternoon in the summer months, however, the proposed open space is also shadowed by its own building at the same time of day, and the subject proposal does not have an appreciable additional impact.

On its own, the proposed building creates a relatively slim shadow that moves relatively quickly. However, when combined with the shadows expected from the TIFF/ Festival Tower development and the proposed development at 295 Adelaide Street West/ 100-104 John Street, the impacts become more substantial because of the blending of the shadows from all three towers. These impacts are most pronounced in the shoulder seasons, casting shadows on one- or two-block-long portions of both sides of Peter, Widmer, Richmond, Adelaide and John Streets at various parts of the day. In most cases, these combined shadows have moved off within two to three hours, however both sides of John Street are impacted for much of the afternoon in the spring, fall and winter seasons, with some gaps in the summer. None of the affected streets are identified as “sunlight streets” subject to an angular plane in Section 12(2)260 of Zoning By-law 438-86.

The separation distance achieved between the approved and proposed towers on the block allows for adequate sky view.

Wind

A pedestrian level wind study has not yet been submitted by the applicant. A pedestrian level wind study will be required as part of the Site Plan Approval application. The implementation of any wind mitigation measures required by the wind study will be secured in the Section 37 agreement.

Traffic Impact, Access, Parking and Servicing

A Traffic Impact Study submitted by the applicant concluded that the development can be accommodated within the existing street network and will not unduly impact on-street traffic operations. Technical services staff agree with this assessment.

The applicant proposes 231 parking spaces for residents, 26 spaces for visitors, and 145 commercial parking spaces. A minimum of 200 bicycle parking spaces are proposed to be provided at grade and in the below grade parking levels, with 160 spaces for residents and 40 spaces for visitors. The proposed vehicular and bicycle parking supply meets the requirements of the Zoning By-Law. Proposed loading facilities are generally acceptable to Technical Services, with details to be resolved during Site Plan review. Access to below grade parking levels is proposed from Widmer Street, and access to above-grade parking and at-grade loading is proposed from the east-west lane to the south of the site. This arrangement is generally satisfactory to Technical Services. Certain details were not able to be ascertained on the submitted plans, such as the location of visitor bicycle spaces; in addition, it appears that there are an insufficient number of bicycle parking spaces provided in a horizontal position. These details will be addressed through the Site Plan review process.

The proposal requires the closing of the majority of a narrow public lane running north-south from Adelaide Street. The ends of the lane abut properties (7-11 Widmer Street and 33 Widmer Street/ 303 Adelaide Street West) that are not owned by the applicant, and would therefore remain as short public lanes to provide access to the rear of these properties. Both lane ends can be accessed from public streets. The properties at the south and north ends of the site should not be impacted by the proposed stop-up and closure of the City lane. The amendment to the Zoning By-law would be conditional on the closing of this lane.

The applicant proposes to widen another existing lane between the subject site and the adjacent proposal at 295 Adelaide Street West/ 100-104 John Street to create a space to accommodate servicing (at the south end, at the rear of the three buildings within the block) and pedestrian circulation.

A Functional Servicing Report submitted by the applicant concluded that full sewer and water services can be provided to the proposed development, including necessary utility infrastructure. Technical Services staff requested revisions to the Functional Servicing Report prior to rezoning. A revised report was submitted with the Site Plan application in December 2008, and discussions continue between the applicant and Technical Services staff. Outstanding issues are expected to be addressed during the Site Plan review process.

Heritage and Archaeology

The proposed development is directly across from six house form buildings on Widmer Street that are listed in the City's Inventory of Heritage Properties, and abuts Adelaide Street, which contains a number of buildings having a historic warehouse character. The

design and materials of the podium were modified after discussions with the applicant, to better relate to the heritage character surrounding the site.

The development proposes the demolition of 31 Widmer, a semi-detached house at the north end of the site. The development has been designed to allow the integration of the two properties abutting the site (7-11 Widmer Street, and 33 Widmer Street/ 303 Adelaide Street West), should they be acquired. Heritage Preservation Services notes that these properties have been identified as sites of merit, and potentially worthy of inclusion in the City's heritage inventory. Heritage Preservation Services' comments have advised the applicant of their preference that the proposal reconsider the demolition of 7-11 Widmer Street and 31-33 Widmer Street/ 303 Adelaide Street West to preserve the historic resource potential of these properties.

The property is located within the original Toronto Hospital reserve and a portion of the property coincides with the site of Toronto's first General Hospital. The applicant's Stage 1 Archaeological Resource Assessment report recognizes that the development of the property throughout the latter part of the 19th century and into the early 20th century has likely resulted in the destruction of any significant archaeological deposits that may have been present. However, the report does recommend that a Stage 2 archaeological assessment be undertaken for the property. Heritage Preservation Services concurs with the recommendations cited in the assessment report, and is also in receipt of correspondence from the Ministry of Culture acknowledging review and acceptance of the above-titled report for licensing purposes. Staff expect that the Stage 2 assessment will be undertaken during the Site Plan review stage.

Residential Unit Mix

The proposal includes approximately 101 bachelor units, 210 one-bedroom units, 105 two-bedroom units (32 of which could be converted to three-bedroom units through the use of knock-out panels), and 14 three bedroom units. Providing dwellings suitably sized for families is an important objective in King-Spadina, and recent developments have committed to providing 10% of their units with 3 or more bedrooms or units that can be converted to 3 or more bedrooms. The retention of the 10% of 3 bedroom units will be secured as part of the Section 37 agreement.

The proposal also includes a minimum of two units to be assigned to Habitat for Humanity, with a possible additional two units to be provided through the Section 37 contribution. These units would be fully integrated into the building, however they would be only partially completed, to approximately 85% completion, such that they would be eligible for warranty and condominium registration. The finishing of the units would be undertaken by volunteer labour and donated materials through Habitat for Humanity.

Community Space

The proposal includes a minimum of 420 sq. m of space to be used for community/ performances and related uses. The space would be conveyed to the City as a freehold conveyance, as part of an exchange for the value from the sale of parts of a 3.048 metre

wide public laneway that runs north-south through the site, with any residual monies from the applicant; purchase of the lane to be used to fund the operating and maintenance of the space. Staff and the Ward Councillor are working with the applicant to determine the details of the proposed mechanism for the purchase of this space.

Amenity Space

Residential amenity space is provided on the 6th and 7th level of the building. Approximately 1443 sq. m of indoor space, and approximately 935 sq. m of outdoor space is proposed. This exceeds the Zoning By-Law requirement.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 445 residential units on a total site area of .2750 hectares (2,750 sq. m). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.0593 hectares (5,933 sq. m). However, a cap of 10% applies and hence the parkland dedication for the development would be .0275 hectares (275 sq. m). The non residential component of the development would be subject to a 2% parkland dedication requirement under Chapter 165 of the former City of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, c.P.13.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of .0275 hectares (275 sq. m) would not be of a useable size and the site would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

Decorative paving, lighting and street trees are proposed along Widmer Street, and decorative paving and lighting is proposed along the pedestrian portion of the lane. The applicant proposes to replace the existing sidewalks and provide street trees along Adelaide Street West,, from Widmer Street to the public lane. Landscape and material details will be addressed as part of the Site Plan review.

Toronto Green Standard

The applicant's Green Checklist indicates that all of the minimum standards will be met or exceeded by the proposal. The applicant has indicated to staff that the proposed building will be LEED certified. Further detail will be provided during the Site Plan review process.

Section 37

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. An indexed cash contribution to be paid prior to the release of any above grade permit, for any or all of the following: affordable housing projects in Ward 20, improvements to the proposed community/ performance space, local parks improvements and streetscape improvements to Widmer Street, John Street, and Adelaide Street;
2. Part of the cash contribution to be provided at the passing of Bills, for the purpose of contributing to one or more Heritage Conservation District studies within the East Precinct of King-Spadina;
3. The provision of a community/ performance space in the building, having a minimum gross floor area of 420 square metres, to be secured via a Letter of Credit satisfactory to the Chief Planner and Executive Director, City Planning Division, for the value from the sale of parts of a 3.048 metre wide public laneway that runs north-south through the site. This provision will be subject to a determination by City staff that the value of the performance space is equivalent to the value of the lane, and if not, the applicant will pay the difference;
4. A public art contribution in accordance with the Percent for Public Art Program for a value not less than one percent of the gross construction cost, at least 50% of which is to be applied to the treatment of the building podium;

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

1. The provision of a minimum of two affordable ownership units in the building to Habitat for Humanity or another housing provider, with the conveyance of the affordable ownership units to be in a form acceptable to the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
2. A minimum of ten percent (10%) of the residential units in the building have at least three bedrooms, or be convertible to three or more bedrooms;
3. 1:50 scale elevations, satisfactory to the Chief Planner and Executive Director, City Planning Division, for the lower floors of the project to be provided as part of a revised application for Site Plan Approval;
4. The implementation of any wind mitigation measures required by the wind study; satisfactory to the Chief Planner and Executive Director, City Planning Division, to be submitted as part of a revised application for Site Plan Approval;

5. The provision and maintenance of an irrigation system, at the applicant's expense, for proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirements to maintain in good order and operation; and
6. Certain green development elements, satisfactory to the Chief Planner and Executive Director, City Planning Division, as may be identified in the Green Development Checklist.

Development Charges

It is estimated that the development charges for this project will be \$2,633,195. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONCLUSION

The proposal provides a generally desirable redevelopment of a parking lot with a mixed use building including community/ performance space and affordable residential units. It is consistent with the direction of the emerging built form study in that it is located within an area that can accommodate tall buildings without destabilizing the warehouse built form character of the area. Staff will continue to work with the applicant to explore opportunities to reduce overall height and the amount of above-grade parking as part of the Site Plan review process.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: West and North Elevations

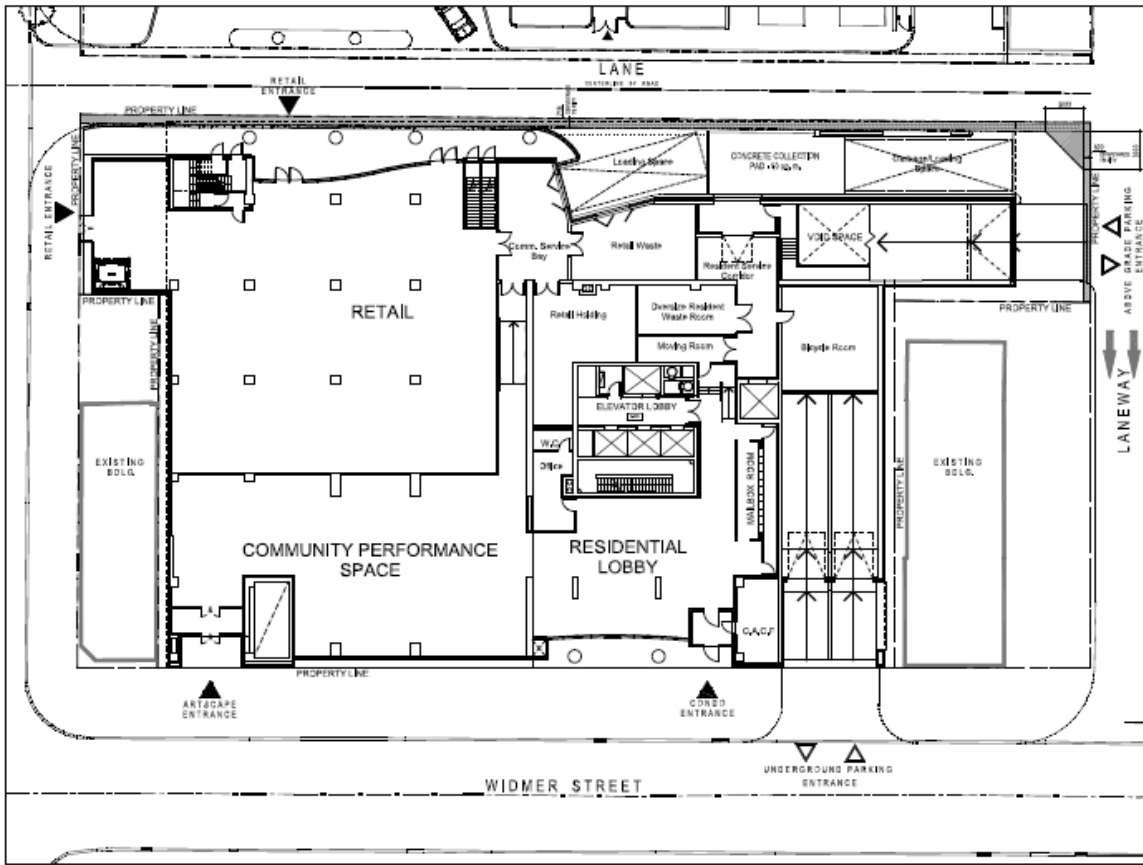
Attachment 3: East and South Elevations

Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



KORKOR

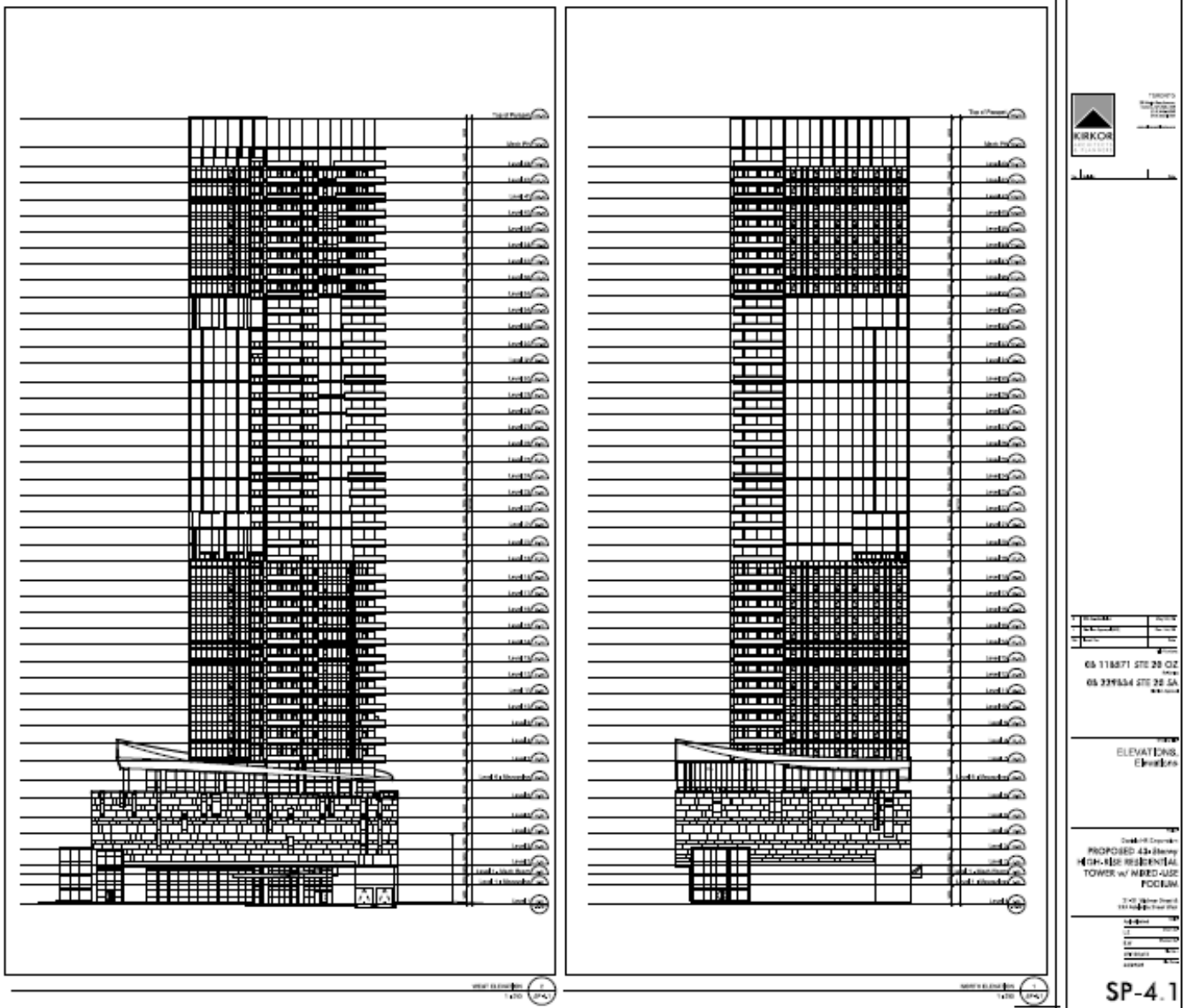
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65 229534 ST 28 SA

FLOOR PLANS (Basal Level)

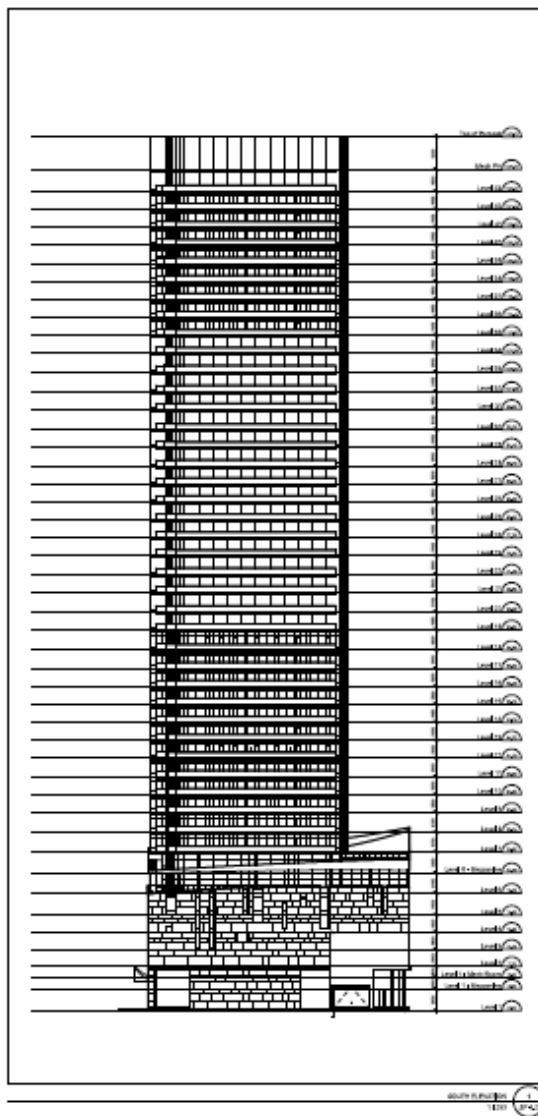
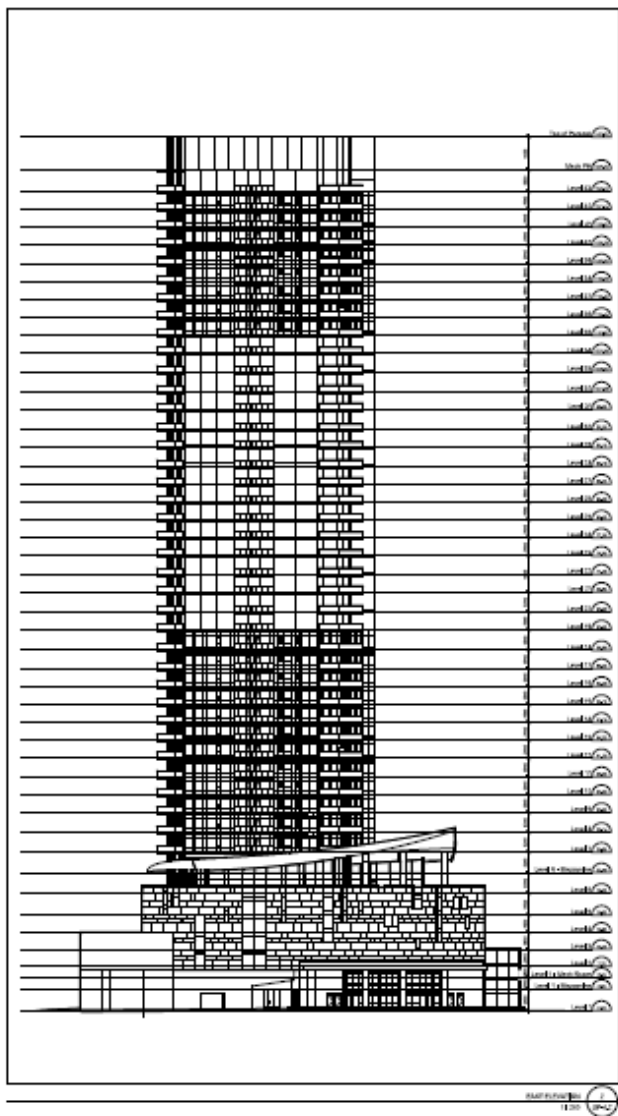
PROPOSED 4th Storey
HIGH-RISE RESIDENTIAL
TOWER w/ MIXED-USE
PODGUM

SP-2.5

Attachment 2: West and North Elevations



Attachment 3: East and South Elevations



05-118871 SITE 28-02
 05-239634 SITE 32-5A

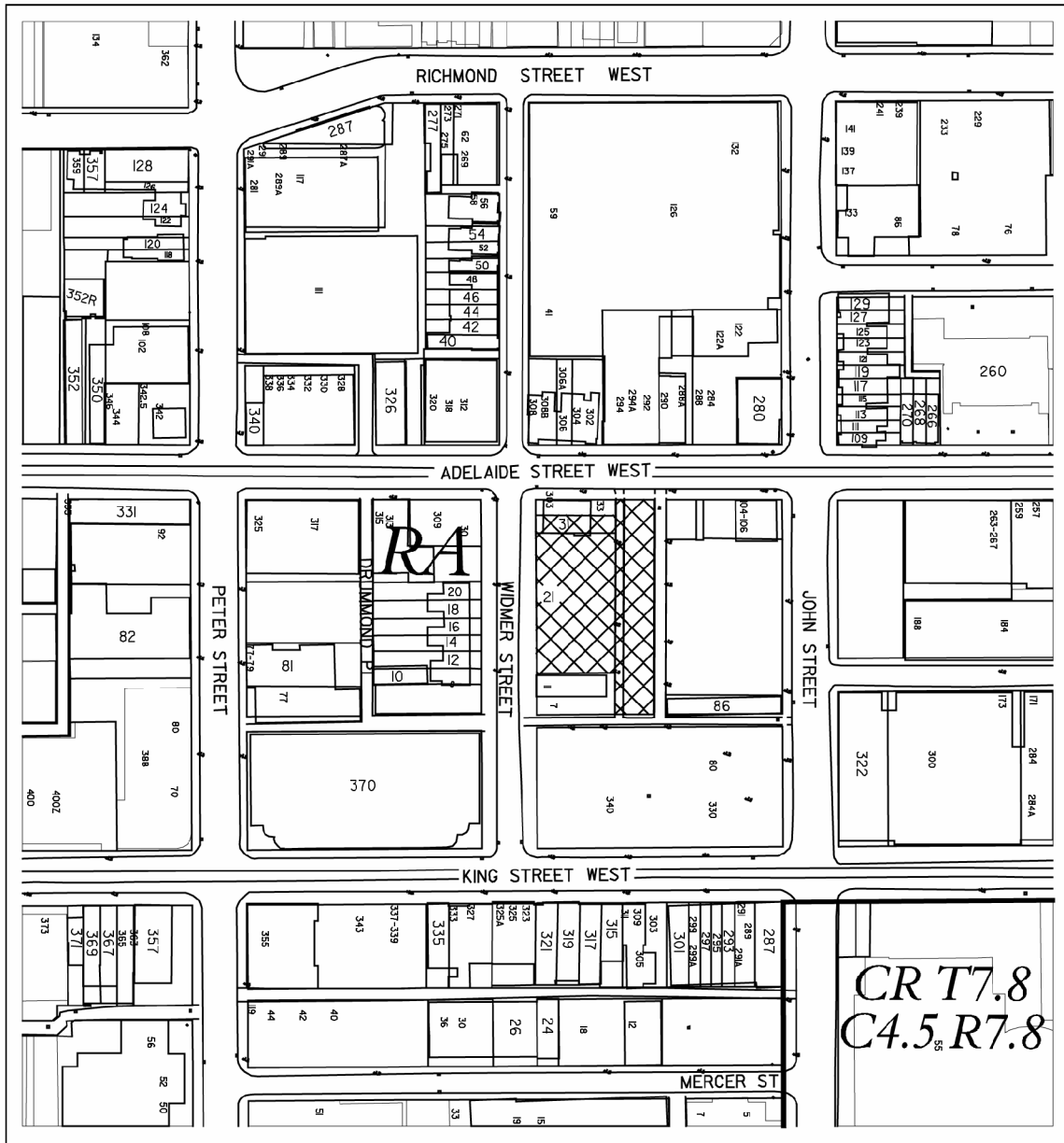
ELEVATIONS
 Elevations

PROPOSED 43-Story
 HIGH-RISE RESIDENTIAL
 TOWER w/ MIXED-USE
 PROGRAM

Scale:
 1/8" = 1'-0"

SP-4.2

Attachment 4: Zoning



21-31 Widmer Street & 299 Adelaide Street West

File # 08_118571

- CR Mixed-Use District
- RA Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 05/27/08 - NRS

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 118571 STE 20 OZ
Details	Rezoning, Standard	Application Date:	March 12, 2008

Municipal Address: 21-31 WIDMER ST/ 299 ADELAIDE ST W

Location Description: PL 338 LTS 3 TO 11 PT LT12 **GRID S2015

Project Description: Proposed 43 storey mixed-use building with 430 dwelling units & 4 levels of underground parking, a portion of which would be used as commercial parking garage. A two storey glazed portion of the building (proposed to be devoted to Artscape) would be included in the proposal.

Applicant:	Agent:	Architect:	Owner:
DANIELS HR CORPORATION		KIRKOR ARCHITECTS	DANIELS HR CORPORATION

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	2750.1	Height:	Storeys:	43
Frontage (m):	75.1		Metres:	142.8
Depth (m):	42.6			
Total Ground Floor Area (sq. m):	2544.8			Total
Total Residential GFA (sq. m):	36296.42		Parking Spaces:	402
Total Non-Residential GFA (sq. m):	1292.65		Loading Docks	2
Total GFA (sq. m):	37589.07			
Lot Coverage Ratio (%):	92.5			
Floor Space Index:	13.67			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	36296.42
Bachelor:	101	Retail GFA (sq. m):	867.18
1 Bedroom:	210	Office GFA (sq. m):	0
2 Bedroom:	105	Industrial GFA (sq. m):	0
3 + Bedroom:	14	Institutional/Other GFA (sq. m):	425.47
Total Units:	430		

CONTACT: PLANNER NAME: Judy Josefowicz, Senior Planner
TELEPHONE: (416) 392-1306

Attachment 6: Draft Zoning By-law Amendment

Draft Zoning By-law Amendment to be provided at the June 23, 2009 meeting of Toronto and East York Community Council.