96 PLANNING RATIONALE

17 ST. ANDREW STREET
CITY OF TORONTO



96 BOUSFIELDS INC.

Job Number - 18105-1

BOUSFIELDS INC.

PLANNING | DESIGN | ENGAGEMENT

3 Church Street, Suite 200 Toronto ON M5E 1M2 T 416.947.9744 F 416.947.0781

www.bousfields.ca

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Figure 1 - Location Map

This Planning and Urban Design Rationale report has been prepared in support of an application by 2636676 Ontario Inc. (The Impressions Group) to amend the City of Toronto Zoning By-law 438-86 and the City-wide Zoning By-law 569-2013, in order to permit the redevelopment of a 1,208-square metre property located on the south side of St. Andrew Street ("the subject site").

The subject site is currently occupied by a 2-storey commercial building with surface parking. The site is located just west of Spadina Avenue, at the eastern periphery of the Kensington Market neighbourhood, which to the west within the interior, is generally low-rise in character. Along the periphery and towards the arterial roads, some taller heights are present (see **Figure 1**, Location Map).

The application would permit redevelopment of the site for a residential student-focused mixed-use building. The proposed building will have a total gross floor area of 3,454.20 square metres, with a height of 21 metres (5 storeys plus wrapped mechanical penthouse occupied by rooftop amenity space). The building will include 171.5 square metres of grade-related retail space fronting St. Andrew Street, as well as 77 residential units. No vehicle parking is proposed, but there are a total of 156 bicycle parking spaces proposed (151 spaces for residents in the basement level and 5 spaces for visitors located at grade within a secured room).

This report concludes that the rezoning application is in keeping with the planning and urban design framework established by the Provincial Policy Plan, the Growth Plan for the Greater Golden Horseshoe, the City of Toronto Official Plan, the Downtown Secondary Plan and the applicable urban design guidelines, and that the existing zoning should be updated to reflect the policy directions applicable to the site.

From a land use perspective, this report concludes that the proposed redevelopment is an appropriate and desirable form of modest residential intensification that is compatible with the surrounding neighbourhood and the range of housing types in the area. The proposed redevelopment of an underutilized site in a location which is well served by existing

municipal infrastructure, including public transit, is supportive of numerous policy directions expressed in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Toronto Official Plan and the Downtown Secondary Plan, all of which promote intensification of underutilized sites within built-up areas.

The proposal will contribute to the provision of a wider range of housing choices within the neighbourhood, including housing suitable for students, in accordance with the housing policies of the Provincial Policy Statement, the Toronto Official Plan and the Downtown Secondary Plan, while appropriately responding to the Secondary Plan direction to ensure new development within Mixed Use Areas 4 is compatible with the the existing physical character of the neighbourhood as well as the planned context, including consideration of the prevailing heights, massing, scale, density and building type.

From an urban design and built form perspective, the proposed development would fit harmoniously with the existing and planned built form context and would complement the prevailing building types within the surrounding neighbourhood, while providing an alternative housing type. The building would be similar in height to other nearby buildings along the periphery of the Kensington Market neighbourhood. In our opinion, the proposal conforms with the built form policies of the Official Plan and is generally in keeping with the applicable design guidelines.

For the foregoing reasons, it is our opinion that the proposed development represents good planning and urban design, and, accordingly, we recommend approval of the rezoning application.



2.1 Site

The subject site, municipally known as 17 St. Andrew, is located on the south side of St. Andrew Street, just west of Spadina Avenue, in the City of Toronto (see **Figure 2**, Aerial Photo). The subject site is generally flat and rectangular in shape. The subject site has a lot area of approximately 1,208 square metres, a frontage of 32.41 metres along St. Andrew Street, and a depth of approximately 39.30 metres.

The subject site is currently occupied by a twostorey brick commercial building and is neither designated nor listed on the City of Toronto Heritage Register. The existing building is located over the easterly portion of the site and occupies approximately a third of the site, while the balance of the site is comprised of a surface parking and servicing area. The existing building is wider at the rear and provides vertical stepping toward the front, providing a slimmer front façade at St. Andrew Street. The existing building has a gross floor area of approximately 678 square metres. Primary vehicular access is currently provided from St. Andrew Street at the north. Secondary access is provided from Glen Baillie Place to the south. Both access points connect to the surface parking level on the west side of the existing building. Approximately 16 parking spaces are provided on the site. Along the west end of the property, is a private laneway that is generally 4.72 metres wide and 22.25 metres long. The laneway continues south beyond the subject site providing access to the rear of the adjacent properties. Surface easements over the private laneway on the subject site, allow access from the rear of these adjacent abutting properties to St. Andrew Street.



Figure 2 - Aerial Photo

2.2 Area Context

The site is located in Kensington-Chinatown (referred to as Neighbourhood Profile Area 78 by the City's Neighbourhood Profile). This area is comprised of two contrasting neighbourhoods bisected by Spadina Avenue: to the west is the Kensington Market neighbourhood, predominantly low-density mixed-use commercial and residential enclave, and to the east is the Chinatown neighbourhood, comprised with low to mid-rise, mixed-use corridors (along Spadina Avenue and Dundas Street), which is primarily commercial with some residential uses, as well as a low-rise residential area within the interior.

The Kensington Market neighbourhood, which is generally bounded by College Street to the north, Bathurst Street to the west, Dundas Street West to the south and Spadina Avenue to the east. Notable features within the neighbourhood include Bellevue Square Park, Toronto Western Hospital, Kensington Community School, and Toronto Fire Station 315. The neighbourhood itself is defined by two areas, the predominantly low-rise residential area west of Augusta Avenue, and the mixed-use market area west of Augusta Avenue. While Kensington Market is predominantly lowrise in character, a varied pattern of development is prevalent along the periphery of the Kensington Market neighbourhood, with buildings ranging between 5 and 7 storeys located closer to and/or along the arterial roads such as Spadina Avenue and College Street. In this regard, the subject site is located within this transition zone, where there are heights within the eastern edge of Kensington Market, towards Spadina Avenue, range between 5 and 7 storeys, which are slightly taller compared to those typically seen within the interior of the neighbourhood. For example, the property to the north of the subject site, at 20 St. Andrew Street/161 Baldwin Street, is occupied by a 4-storey parking garage. Further north, 160 Baldwin Avenue is occupied by 7-storey residential building with retail at grade, connected to a 4-storey residential building at 21 Nassau Street, as well as 5-storey residential buildings at 8 Oxford Street and 34 Oxford Street. To the south of the subject site, 310-316 Spadina Avenue is occupied by a 6-storey office commercial building with a depth of approximately 57 metres.

2.3 Immediate Surroundings

The following section provides a more detailed overview of the immediate context surrounding the subject site.

To the immediate <u>north</u> of the subject site, on the north side of St. Andrew Street is a large, 4-storey above-grade Green P parking garage (20 St. Andrew Street). The parking structure is flanked by 2-storey mixed-use commercial-residential development on both sides, in the form of main street commercial-type structures and converted dwellings (34, 32, 30, 38, 14, 8, and 6 St. Andrew Street), with the exception of a 3-storey place of worship, Anshei Minsk Orthodox Synagogue, at 10 St. Andrew Street, which is located just to the east of the parking garage.

Further north, on the north side of Baldwin Street, is a 7-storey residential building (Kensington Market Lofts, 160 Baldwin St), with retail commercial uses located at grade. Connected to the north end of the building is the north wing of Kensington Market Lofts, a 4-storey residential building at 21 Nassau Street. The western portion of Baldwin Street, west of the Kensington Market Lofts building is characterized by 2- and 3-storey commercial and retail uses with residential above (170-198 Baldwin St), such as restaurants, cafés, and delicatessens.

Immediately <u>east</u> of the site is 13 and 15 St. Andrew Street, a pair of 3-storey semi-detached dwellings. To the east of these dwellings, at the southeast corner of Spadina Avenue and St. Andrew Street, is a recently renovated commercial office building (346 Spadina Avenue), which is currently vacant. Along the west side of Spadina Avenue south of St Andrew Street there are, 2-3 storey commercial uses (332-340 Spadina Avenue), several of which, are listed by the City's Heritage Register. Also, to the southeast of the site are two commercial buildings, a 6-storey commercial building at 310-316 Spadina Avenue, and a 5-storey commercial building with rear surface parking at 302 Spadina Avenue.

Immediately <u>south</u> of the site is a private parking lot (23 St. Andrew) with approximately 16-20 parking spaces accessible via Glen Baillie Place. Along Glen Baillie Place there is a cluster of

2-storey townhomes (5-15 & 2-12 Glen Baillie) (Picture). Further south, properties fronting the north side of Dundas Street West are 2-storey commercial buildings (526-548 Dundas St West) and consist of uses such as specialized retail, commercial service uses and restaurants, while the at the southwest corner of Spadina Avenue and Dundas Street West is a mixed-use development comprised with a 4-storey shopping centre known as Dragon City Mall (280 Spadina Avenue) and a 10-storey apartment building (519) Dundas Street West). South of Dragon City is a recently completed 11-storey mixed-use building at 10 Willison Square. West of the Dragon City, as part of the Alexandra Park TCHC Revitalization, the exiting townhouse blocks fronting on the south side of Dundas Street are approved to be demolished and replaced with a 17-storey apartment building.

To the immediate <u>west</u> of the site, is a 3-storey building at 27 St. Andrew Street. Further west, along Kensington Avenue and Augusta Avenue, considered to be the main commercial spines of the neighbourhood, the built form typology along these streetscapes consists of a mix 2- and 3-storey commercial buildings (with residential above) and 2- and 3-storey residential dwellings dispersed throughout the area. Many of the businesses on Kensington Avenue and Augusta Avenue have converted residential semidetached dwellings and rowhouses to contain retail/commercial at grade with residential uses above (25-29 Kensington Avenue). West of the subject site, commercial business along Kensington Avenue include clothing stores (38 & 10 Kensington Ave), a tattoo parlour (29 Kensington Ave), a barber shop (2 Kensington Ave), and restaurants, while residential parcels such as 39-45 Kensington Avenue represent the varied pattern of development and eclectic character of the Kensington Market neighbourhood. These characteristics extend south to Dundas Street West (Character Image). West of Kensington Avenue, another key feature of the area is the recently revitalized Bellevue Park off of Augusta Avenue. The park is now complete with a children's play area, a splash pad and a public washroom (Photo).



17 St. Andrew Street



17 St. Andrew Street



17 St. Andrew Street rear alley



17 St. Andrew Street driveway and surface parking lot



St. Andrew Street facing west



St. Andrew Street facing east



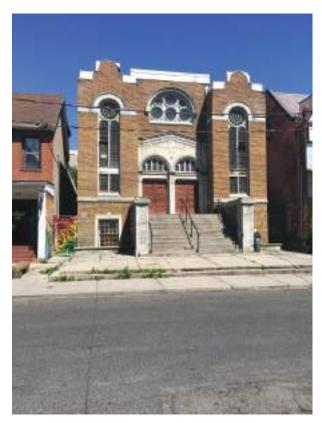
13-15 St. Andrew Street



Parking structure, St. Andrew Street facing north



St. Andrew Street facing north



Anshei Minsk Orthodox Synagogue



St. Andrew Street facing north



Baldwin Street facing northeast



Baldwin Street facing north

2.4 Transportation Network

The subject site is served by two streetcar routes, the 510 and 310. The nearest streetcar stops are both located on Spadina Avenue, one north of Dundas Street, and one south of Nassau Street. Both routes provide connections to the subway network: Line 1 (Yonge-University) to the south at Union subway station and Line 2 (Bloor-Danforth) to the north at Spadina subway station. Additionally, St Patrick Station on Line 1 (Yonge-University) is a 1.1 km (13-14 minute walk) to the east of the site at the intersection of University Avenue and Dundas Street. The subject site also provides access to streetcar routes on Dundas Street and College Street.

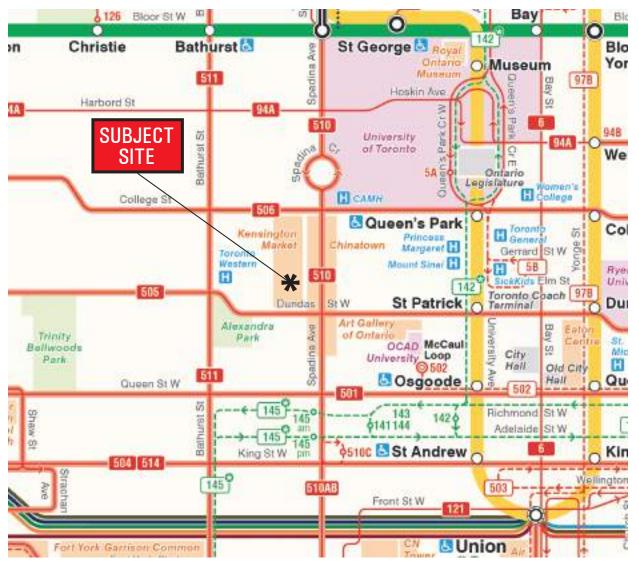


Figure 3 - TTC Map



3.1 Description of the **Proposal**

The proposal contemplates the redevelopment of the site with a residential student-focused mixeduse apartment building. The proposed building is 5 storeys with an amenity space wrapped around the front of the mechanical penthouse level above, resulting in an overall height of 21 metres. The proposal consists of a total of 77 dwelling units and retail uses at grade. The residential gross floor area is approximately 3,282.70 square metres and the commercial gross floor area is approximately 171.5 square metres for a total gross floor area of 3,454.20 square metres, resulting in a density of 2.9 FSI (all gross floor area figures are based on Zoning By-law 569-2013). The proposed development intensifies the site with a new residential development that replaces the existing building and the surface parking lot (see Figure 3, Site Plan).

The design of the redevelopment proposal involves careful consideration of an appropriate relationship between use and built form, respecting the architectural and built form character of the surrounding context, particularly the neighbouring properties to the east and southeast. In this regard, the proposed building provides a number of stepbacks and setbacks in order to provide an appropriate pedestrian scale along the street, as well as to provide an appropriate transition in scale to the adjacent buildings. To the east, the building façade along the street steps away from the adjacent building to provide prominence to its architectural features, including the turret elements. To the southeast, the rear portion of the building is setback approximately 5.4 metres from the east property line and steps back the upper portions in order to provide an appropriate transition in scale to the adjacent low-rise buildings. The proposed building provides for a 3-storey base element with a streetwall height of 10.5 metres, which maintains the general scale and character of the buildings along St. Andrew Street while the overall height of 21 metres is consistent with the heights of nearby buildings and structures.

The ground level provides the main residential lobby entrance, which is located at the westerly portion of the building's front façade. A secondary entrance with direct access from

street level provides barrier-free access to the elevator lobby area and is located adjacent to the loading area of the building. The ground level also provides retail space and a bike storage room. A 6.32-metre wide private laneway is provided along the westerly portion of the site, the existing private laneway is maintained and also widened to 6.32 metres, providing access to the loading area, as well as access for the properties backing on the private laneway.

On the ground floor, the building will provide a tapered setback to the north property line that is 1.15 metres at the northwest corner of the building and widens to 2.98 metres at the northeast corner of the building. A 0-metre setback is provided to the east and south property lines. The private laneway along the westerly portion of the site results in a 6.3-metre side yard setback to the west property line, however, toward the rear of the subject site, past the extent of the laneway on the subject site, the jogged shape of the property results in a westerly side yard setback of 1.67 metres (see **Figure 4**, Ground Floor Plan).

The basement level provides a sunken courtyard at the southeast corner of the subject site with the opportunity for full sized windows surrounding the courtyard area. The basement level provides 8 dwelling units abutting the courtyard area, and a 31.4 square metre (338 square foot) amenity area. The laundry room and bike storage room are also provided in the basement.

Above the ground floor, the 2nd and 3rd levels are designed to maintain the setbacks of the angled front façade of the ground level and maintain the side and rear yard setbacks.

The front wall of the 4th and 5th levels steps back to be parallel to the front lot line and creates an angled green roof along the front façade. These levels also step back 1.5 metres along the west, and steps back 3.0 metres on the northerly portion of the east façade and 2.0 metres on the southerly portion of the east façade. The provided setbacks on the 4th level allow the massing of the building to step away from the low-rise buildings to the east, while also allowing for a green roof and intermittent projecting balconies around the west, north and east walls. At the south end of the building, while the 4th level maintains a built-to-lot line condition, the 5th level is setback approximately 1.5 metres.

The mechanical penthouse is wrapped by the outdoor and indoor amenity areas. This level is well setback from the floor below in order to reduce the overall massing of the building by providing stepbacks of 1.5 metres to the west and south, 3.87 metres to the north and 6.14 metres to the east. The stepbacks provide a combination of outdoor amenity area and a green roof.

In terms of architectural treatment, the materiality of the building will be predominantly masonry to draw upon the character of the Kensington Market area. Large windows break up the massing, including curvilinear windows that draw inspiration from the incorporation of arches into the architecture of many of the buildings in the area, including the adjacent Anshei Minsk Orthodox Synagogue building on the north side of St. Andrew Street. The mechanical/amenity penthouse is treated with glass and metal paneling to reduce its appearance.

UNIT COUNT AND AMENITY

The 77 dwelling units proposed consists of 46 bachelor units, 16 1-bedroom units, 14 2-bedroom units, and 1 3-bedroom unit. All 77 units are intended to serve as condo units with a secondary rental market.

In terms of amenity space, 161.6 square metres of outdoor amenity space, and 159.1 square metres of indoor amenity space are provided. Outdoor amenity space is located at the mechanical penthouse level above. Indoor amenity space is located on both the basement level (31.4 square metre) and the mechanical penthouse level (127.7 square metres).

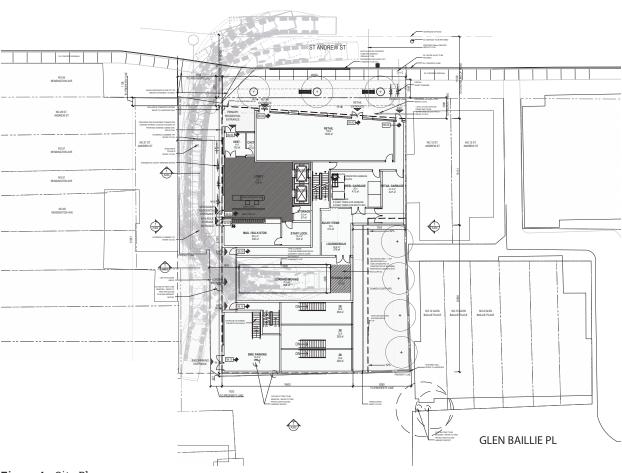


Figure 4 - Site Plan

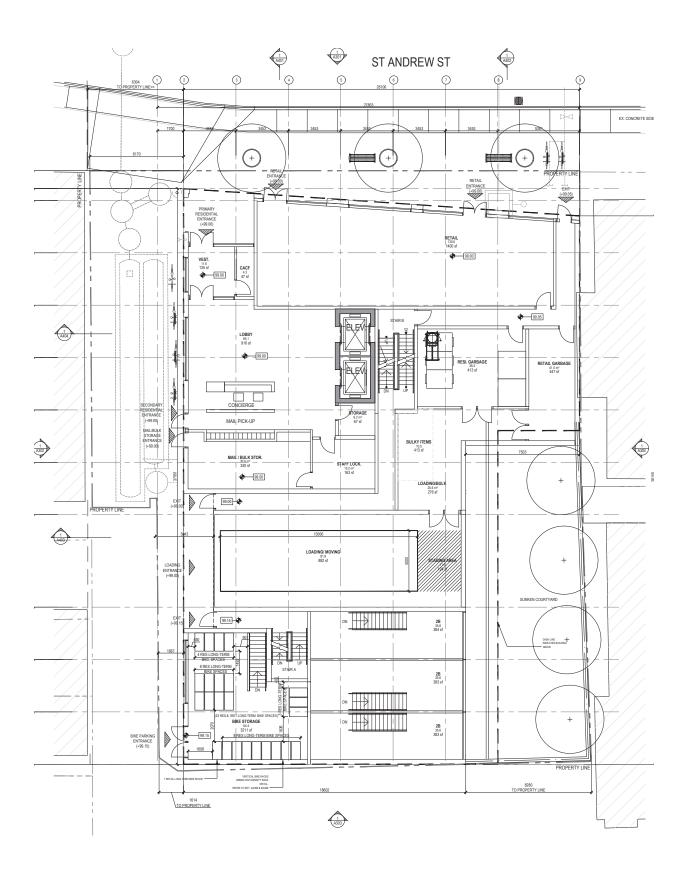


Figure 5 - Ground Floor Plan

3.2 Key Statistics

SITE AREA	1,208 SQUARE METRES
GFA	
Residential	3,282.70 square metres
Retail	171.50 square metres
Total	3,454.20 square metres
Density	2.9 FSI
Height	5 storeys + MPH/amenity level (20.39 metres)
Residential Units	
Studio	46
1-bedroom	16
2-bedroom	14
3-bedroom	1
Total	77
Amenity Space	
Indoor Amenity Space	159.1 square metres
Outdoor Amenity Space	161.6 square metres
Total	320.7 square metres
Bicycle Parking Spaces	
Residential Long Term	143
Residential Short Term	8
Retail Long Term	1
Retail Short Term	4
Total	156
Loading Spaces	1 Type 'G' Space

3.3 Required Approvals

In our opinion, the proposed 5-storey apartment building conforms with the Official Plan and the Downtown Secondary Plan, in particular, is permitted by the *Mixed Use Areas* designation and is located within an area of the Kensington-Spadina neighbourhood that permits limited intensification. Therefore, in our opinion, an Official Plan Amendment is not required. This was confirmed by City staff during the preconsultation process.

The proposal requires an amendment to City of Toronto Zoning By-law 438-86, as amended, in order to increase the permitted height and density and to revise other development regulations as necessary to accommodate the proposed development.



ENCREA PIEME

4.1 Provincial Policy Statement (2014)

The current Provincial Policy Statement (2014) came into effect on April 30, 2014. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) (a) of the Planning Act, all land uses planning decisions are required to be consistent with the PPS. Policy 4.4 states that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation."

The proposal is consistent with the policy direction expressed in the PPS to build strong communities by promoting efficient development and land use patterns. To that end, the PPS contains a number of policies that promote intensification and compact built form, particularly in areas well served by public transit.

In particular, Policies 1.1.1(a) and 1.1.1(b) provide that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns and accommodating an appropriate range and mix of residential, employment (including industrial and commercial), institutional, recreation, park and open space, and other uses to meet long-term needs.

Policy 1.1.3.2 of the PPS promotes densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities, and are transit-supportive, where transit is planned, exists or may be developed. Public service facilities are defined as "lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, policy and fire protection, health and educational programs and cultural services."

Policy 1.1.3.3 provides that planning authorities shall identify appropriate locations and promote opportunities for redevelopment and intensification where this can be accommodated, taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities. Policy 1.1.3.4 promotes appropriate development standards, which facilitate

intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

With respect to employment, Policy 1.3.1 states that authorities shall promote economic development and competitiveness by, among other approaches, providing for an appropriate mix and range of employment and institutional uses to meet long-term needs. It also promotes compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

With respect to housing, Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other matters, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and public transit.

The efficient use of infrastructure, particularly public transit, is a key element of the PPS (Section 1.6.7). With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of land uses that minimize the length and number of vehicle trips required and support the current and future use of public transit and active transportation.

Policy 1.7.1 of the PPS states that long-term prosperity should be supported by optimizing the use of land, resources, infrastructure and public service facilities, maintaining and where possible, enhancing the vitality and viability of downtowns and main streets, and encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 requires that planning authorities support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation. This is to be achieved through land use and development patterns which: promote compact form and structure nodes and corridors; promote the use of active transportation and

public transit in and between residential, employment and other areas and improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

While the subject site is neither designated or listed heritage on the City's Heritage Register, the subject site is located within the Kensington Market Neighbourhood Heritage Conservation District study area. In this regard, the Provincial Policy Statement includes policies regarding cultural heritage and archeology in Section 2.6.

Policy 2.6.1 provides that "significant built heritage resources and significant cultural heritage landscapes shall be conserved", while Policy 2.6.3 provides that development adjacent to a protected heritage property shall not be permitted except where it has been demonstrated that "the heritage attributes of the protected heritage property will be conserved". In this regard, the following definitions are important:

- "Adjacent" means, for the purposes of Policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.
- "Significant" means, in relation to cultural heritage and archaeology, resources that "have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people".
- A "built heritage resource" is defined as "a building . . . that contributes to a property's cultural heritage value or interest as identified by a c ommunity". The d efinition goes on t o provide that such resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.
- "Conserved" "identification, means protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act". This may be achieved through the implementation of recommendations set out in a conservation plan or a heritage impact assessment. The definition specifically provides that "mitigative measures and/or

- alternative development approaches can be included in these plans and assessments".
- "Heritage attributes" are defined as "the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest".
- A "protected heritage property" is defined to include property designated under Parts IV, V or VI of the Ontario Heritage Act.

For the reasons set out in Sections 5.1, 5.2 and 5.6 of this report, it is our opinion that the proposal and, more specifically the requested Zoning Bylaw Amendment, is consistent with the Provincial Policy Statement and, specifically, the policies relating to intensification, the efficient use of land and infrastructure and conservation of heritage assets.

4.2 Growth Plan for the Greater Golden Horeshoe (2019)

The Growth Plan for the Greater Golden Horseshoe (2019) comes into effect on May 16, 2019, replacing the previous Growth Plan (2006). All decisions made on or after this date are required to conform with the Growth Plan (2017), subject to any legislative or regulatory provisions providing otherwise.

The Growth Plan policies have been strengthened as they apply to the integration of land use and infrastructure planning, and the importance of "optimizing" the use of the land supply and infrastructure. In this respect, the Growth Plan has been revised by adding more detail about the objectives of a "complete community" and requiring minimum density targets for major transit station areas along priority transit corridors and existing subways.

Similar to the PPS, the general framework in the Growth Plan 2019 seeks to reinforce the importance of integrating transportation and land use planning to achieve broader intensification objectives. As noted in the introductory text in Section 2.1:

"This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes... The Growth Plan, 2006 identified 25 urban growth centres and this Plan continues to recognize those urban growth centres as regional focal points for accommodating population and employment growth. The continued revitalization of urban growth centres as meeting places, locations for cultural facilities, public institutions, and major services and transit hubs with the potential to become more vibrant, mixeduse transit-supportive communities is particularly important."

The introductory text goes on to provide as follows:

"This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to major transit station areas and other strategic growth areas, including urban growth centres, and promoting investments in these areas... It is important that we maximize the benefits of land use planning, as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change."

The subject site be part of a "strategic growth areas" pursuant to the Growth Plan (i.e. a focus for accommodating intensification and higherdensity mixed uses in a more compact built form). "Strategic growth areas" include urban growth centres, major transit station areas and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service may also be identified as strategic growth areas. The subject site is located within both the Downtown Toronto "urban growth centre" and a "major transit station area". As provided in the Growth Plan, Downtown Toronto is planned to accommodate and support major

transit infrastructure, as well as accommodate a significant share of population and employment growth [Policy 2.2.3(1)(d)].

Furthermore, the Growth Plan defines a "major transit station area" as the area including and around any existing or planned higher order transit or stop within a settlement area and "generally defined as the area within an approximate 500 to 800 metre radius of a transit station, representing an approximate 10-minute walk." In turn, "higher order transit" is defined as transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way. As discussed in Section 2.4 of this report, the subject site is located in one of the most transit-accessible locations in the city, approximately 160-190 metres from two streetcar stops which service the 310 and 510 streetcar routes, which travel in dedicated rights-of-way. The site is also located approximately 234 metres to the intersection of Spadina Avenue and Dundas Street, providing access to the 505 streetcar route, as well as approximately 420 metres from the intersection of Spadina Avenue at College Street, providing access to the 306 and 506 streetcar routes.

Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (with higher order transit being prioritized where it exists or is planned), and areas with existing or planned public service facilities. Policy 2.2.1(3)(c) directs municipalities to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will, among other things, provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

In this respect, Schedule 3 of the Growth Plan forecasts a population of 3,190,000 and 1,660,000 jobs for the City of Toronto by 2031, increasing to 3,400,000 and 1,720,000, respectively by 2041. The recently released 2016 Census indicates that population growth in Toronto is continuing to fall short of the Growth Plan forecasts. At a point that

is now midway through the 2001-2031 forecast period, the 2016 population of 2,731,571 (which would translate to an estimated population of 2,825,123, using the same undercount percentage as determined for the 2011 Census) is only 39.2% of the way toward achieving the population forecast of 3,190,000 by 2031.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses, provide a diverse range and mix of housing options, expand convenient access to a range of transportation options, ensure the development of high quality compact built form and an attractive and vibrant public realm, and mitigate and adapt to climate change impacts and contribute towards the achievement of low-carbon communities.

Policy 2.2.2(4) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will, among other things, encourage intensification generally to achieve the desired urban structure, identify the appropriate type and scale of development and transition of built form to adjacent areas, identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

Section 2.2.4 of the Growth Plan provides that increased densities should be promoted in "major transit station areas" to support the viability of existing and planned transit service levels, and also includes policies that seek to focus growth in strategic growth areas to support the achievement of intensification targets and recognize them as a key focus for development.

Policy 2.2.3(1) provides that urban growth centres will be planned to accommodate and support the transit network at the regional scale and to accommodate significant population and employment growth. In this regard, Policy 2.2.3(2) requires that each urban growth centre in the City of Toronto will be planned to achieve a minimum density target of 400 residents and jobs combined by 2031.

Section 2.2.4 of the Growth Plan provides policies related to transit corridors and station areas. Policy 2.2.4(2) requires the City of Toronto to delineate the boundaries of "major transit station areas" on subway lines "in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station". Policy 2.2.4(3)(a) goes on to require that "major transit station areas" on subway lines be planned for a minimum density target of 200 residents and jobs combined per hectare. Policy 2.2.4(6) states that, within "major transit station areas" on a subway line, land uses and built form that would adversely affect the achievement of the minimum density targets will be prohibited.

Policy 2.2.4(9) provides that, within all "major transit station areas", development will be supported, where appropriate, by: planning for a diverse mix of uses to support existing and planned transit service levels; providing alternative development standards, such as reduced parking standards; and prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.

The Growth Plan (2019) includes a new Section 2.2.6 that deals with housing. Policy 2.2.6(1) requires municipalities to develop a housing strategy that, among other matters, supports the achievement of the minimum intensification and density targets in the Growth Plan and identifies a diverse range and mix of housing options and densities to meet projected needs of current and future residents. Notwithstanding Policy 1.4.1 of the PPS, Policy 2.2.6(2) states that, in preparing a housing strategy, municipalities will support the achievement of complete communities by: planning to accommodate forecasted growth; planning to achieve the minimum intensification and density targets; considering the range and mix of housing options and densities of the existing housing stock; and planning to diversify the overall housing stock across the municipality.

Generally, the infrastructure policies set out in Chapter 3 of the Growth Plan (2019) place an enhanced emphasis on the need to integrate land use planning and investment in both infrastructure and transportation. The introductory text in Section 3.1 states that:

"The infrastructure framework in this Plan requires that municipalities undertake an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of complete communities. It is estimated that over 30 per cent of infrastructure capital costs, and 15 per cent of operating costs, could be saved by moving from lower density development to a more compact built form. This Plan is aligned with the Province's approach to long-term infrastructure planning as enshrined in the Infrastructure for Jobs and Prosperity Act, 2015, which established mechanisms to encourage principled, evidence based and strategic long-term infrastructure planning."

Policies 3.2.3(1) and 3.2.3(2) state that public transit will be the first priority for transportation infrastructure planning and major transportation investments, and that decisions on transit planning and investment will be made according to a number of criteria, including prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels, and increasing the capacity of existing transit systems to support strategic growth areas.

Policy 4.2.7(1) directs that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas, while Policy 4.2.7(2) provides that municipalities will work with stakeholders in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.

For the reasons outlined in Section 5.1 of this report, it is our opinion that the proposed development and, more particularly, the requested Zoning By-law Amendment conforms with the Growth Plan and, in particular, the policies promoting growth and intensification within "urban growth centres" and "major transit station areas".

4.3 City of Toronto Official Plan

The Official Plan for the amalgamated City of Toronto (the "Official Plan") was adopted on November 26, 2002 and was approved by the Ontario Municipal Board on July 6, 2006. Numerous amendments have been approved and are now in effect, including amendments arising out of the Official Plan Review initiated in 2011.

GROWTH MANAGEMENT POLICIES

Chapter 2 (Shaping the City) outlines the City's growth management strategy. It recognizes that:

"Toronto's future is one of growth, of rebuilding, of re-urbanizing and of regenerating the City within an existing urban structure that is not easy to change. Population growth is needed to support economic growth and social development within the City and contribute to a better future for the Greater Toronto Area (GTA). A healthier Toronto will grow from a successful strategy to attract more residents and more jobs to the City."

To that end, Policy 2.1(3), as amended by Official Plan Amendment No. 231, provides that Toronto is forecasted to accommodate 3.19 million residents and 1.66 million jobs by the year 2031. The marginal note regarding Toronto's growth prospects makes it clear that these figures are neither targets nor maximums; they are minimums:

"The Greater Toronto Area ... is forecast to grow by 2.7 million residents and 1.8 million jobs by the year 2031. The forecast allocates to Toronto 20 percent of the increase in population (537,000 additional residents) and 30 percent of the employment growth (544,000 additional jobs) ... This Plan takes the current GTA forecast as a minimum expectation, especially in terms of population growth. The policy framework found here prepares the City to realize this growth, or even more, depending on the success of this Plan in creating dynamic transit oriented mixed use centres and corridors."

The growth management policies of the Official Plan direct growth to identified areas on Map 2, which include Centres, Avenues, Employment Districts and the Downtown and Central Waterfront, where transit services and other infrastructure are available. On Map 2, the subject site is identified as part of the Downtown and the Central Waterfront (see Figure 5, Urban Structure).

In Chapter 2 (Shaping the City), one of the key policy directions is Integrating Land Use and Transportation (Section 2.2). The Official Plan states that:

"... future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Generally, the growth areas are locations where good transit access can be provided along bus and streetcar routes and at rapid transit stations. Areas that can best accommodate this growth are shown on Map 2: Downtown, including the Central Waterfront, the Centres, the Avenues and the Employment Districts. A vibrant mix of residential and employment growth is seen for the Downtown and the Centres ..." (Our emphasis.)

Policy 2.2(2) provides that "growth will be directed to the Centres, Avenues, Employment Districts and the Downtown as shown on Map 2" and sets out a number of objectives that can be met by this strategy, including:

- using municipal land, infrastructure and services efficiently;
- concentrating jobs and people in areas well served by surface transit and rapid transit stations;
- promoting mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips;
- offering opportunities for people of all means to be affordably housed;
- facilitating social interaction, public safety and cultural and economic activity;
- improving air quality and energy efficiency and reducing greenhouse gas emissions; and
- protecting neighbourhoods and green spaces from the effects of nearby development.

Under Section 2.2.1 ("Downtown: The Heart of Toronto"), the Plan recognizes that Downtown plays a vital role as the city's economic and cultural hub and is critical to the health and prosperity of the entire region that surrounds it. It is the oldest, most dense and most complex part of the urban landscape, with a rich variety



Figure 6 - Urban Structure - Map 2



of building forms and activities. The Plan indicates that "while we anticipate and want Downtown to accommodate growth, this growth will not be spread uniformly across the whole of Downtown. In fact, there are many communities Downtown that will not experience much physical change at all. Other parts of *Downtown* will see development of vertical mixed-use communities in predominantly mid-rise and tall buildings. Mixed use is a key ingredient to the successful functioning of *Downtown* that creates "accessibility through proximity". In this regard, the Plan notes that every home built within the Downtown offsets the need for in-bound commuting each day. Policy 2.2.1(1) indicates that the Downtown Toronto Urban Growth Centre will be planned to achieve, by 2031 or earlier, a minimum combined gross density target of 400 residents and jobs per hectare. Policy 2.2.1(2) provides that "Downtown will continue to be shaped as the largest economic node in the city and the region by accommodating development that builds on the strength of Downtown as the premier employment, institutional, retail, arts and culture, and entertainment centre in the Greater Golden Horseshoe, and that provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

Under "Living Downtown", the Plan notes that the Downtown is seen as an attractive place to live. There is a great degree of social and economic diversity amount the Downtown population, accompanied by a diversity of housing types. tenures and affordability. Policy 2.2.1(4) provides that the quality of the Downtown will be improved by supporting complete communities, developing buildings that are shaped, scaled and designed to enhance liveability, providing a diverse range and mix of housing options, including affordable housing, to accommodate the needs of all household sizes and avoid the displacement of vulnerably housed and at-rise groups. Policy 2.2.1(5) indicates that "the architectural and cultural heritage of *Downtown* will be preserved by designating buildings, districts and open spaces within heritage significance and by working with owners to restore and maintain historic buildings. Further, Policy 2.2.1(6) indicates that "guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings."

From a transportation perspective, under "Downtown Accessibility and Mobility", the Plan indicates that the growth in trips (due to the increase in *Downtown* activity and development) have been successfully handled by improvements to transit services and by an increase in *Downtown* housing that has put more people within walking and cycling distance of their place of work and other activities. Lower parking requirement in *Downtown* have helped reinforce this pattern of trip growth, while policies promoting sustainable travel choices, reducing dependence on private automobiles and encouraging mixed use development in *Downtown* are key components of this Plan.

Map 4 (Higher Order Transit Corridors) and Map 5 (Surface Transit Priority Network) identify the existing TTC Subway Line along Spadina Avenue (see **Figures 6** and **7**, Higher Order Transit Corridor and Surface Transit Priority Network).

Section 2.4 "Bringing the City Together: A Progressive Agenda of Transportation Change" notes that:

"The transportation policies, maps and schedules of the Plan make provision for the protection and development of the City's road, rapid transit and interregional rail networks. The Plan provides complementary policies to make more efficient use of this infrastructure and to increase opportunities for walking, cycling, and transit use and support the goal of reducing car dependency throughout the City ... Reducing car dependency means being creative and flexible about how we manage urban growth. We have to plan in 'next generation' terms to make walking, cycling, and transit increasingly attractive alternatives to using the car and to move towards a more sustainable transportation system..."

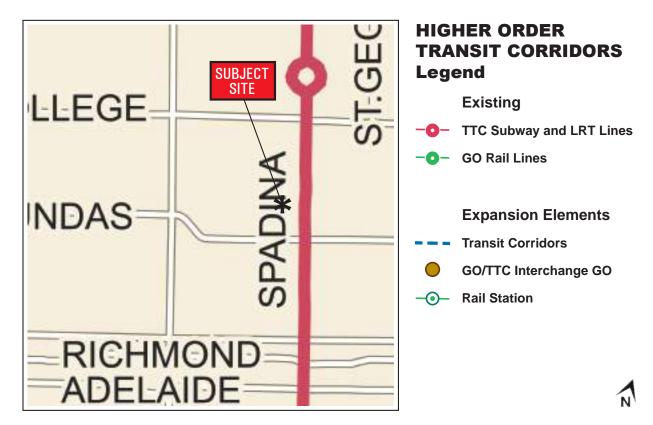


Figure 7 - Higher Order Transit Corridor - Map 4

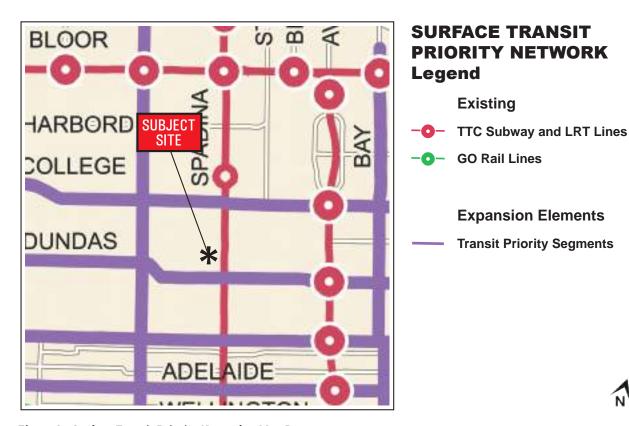


Figure 8 - Surface Transit Priority Network - Map 5

Following therefrom, Policy 2.4(4) states as follows:

"In targeted growth areas, planning for new development will be undertaken in the context of reducing auto dependency and the transportation demands and impacts of such new development assessed in terms of the broader social and environmental objectives of the Plan's reurbanization strategy."

Policy 2.4(7) further notes that, for sites in areas well served by transit (such as locations around rapid transit stations and along major transit routes), consideration will be given to establishing minimum density requirements (in addition to maximum density limits), establishing minimum and maximum parking requirements and limiting surface parking as a non-ancillary use. Furthermore, Policy 2.4(8)(a) directs that better use will be made of off-street parking by "encouraging the shared use of parking and developing parking standards for mixed use developments which reflect the potential for shared parking among uses that have different peaking characteristics".

BUILT FORM POLICIES

Section 3.1.2 of the Official Plan recognizes the importance of good design, not just as an aesthetic overlay, but also as an essential ingredient of city-building. It demands high quality architecture, landscape architecture and urban design, both within the public realm and within the privately-developed built form. The Plan recognizes that, as intensification occurs in the *Downtown* and elsewhere throughout the City, there is an extraordinary opportunity to build the next generation of buildings and to create an image of Toronto that matches its status as one of the great cities of North America.

In putting forward policies to guide built form, the Plan notes that developments must be conceived not only in terms of the individual building site and program, but also in terms of how that building and site fit within the context of the neighbourhood and the City.

Policy 3.1.2(1) provides that new development will be located and organized to fit with its existing

and/or planned context, and to frame and support adjacent streets, parks and open spaces. Relevant criteria include:

- generally locating buildings parallel to the street with a consistent front yard setback;
- on corner sites, locating development along both adjacent street frontages and giving prominence to the corner;
- locating main building entrances so that they are visible and directly accessible from the public sidewalk; and
- providing ground floor uses that have views into and, where possible, access to adjacent streets.

Policy 3.1.2(2) requires that new development locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties by, among other things:

- using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;
- consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- integrating services and utility functions within buildings where possible;
- providing underground parking where appropriate; and
- limiting surface parking between the front face of a building and the public street or sidewalk.

Policy 3.1.2(3) sets out policies to ensure that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings;

- · providing for adequate light and privacy;
- 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
- minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Policy 3.1.2(4) provides that new development will be massed to define the edges of streets, parks and open spaces at good proportion.

Policy 3.1.2(6) requires that every significant new multi-residential development provide indoor and outdoor amenity space for residents, giving each resident access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

LAND USE POLICIES

The site is designated Mixed Use Areas on Map 18, Land Use Plan (see Figure 8), an area designated for growth and that permits a broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open space and utilities. The Plan envisions that development in Mixed Use Areas will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community and will provide for new jobs and homes for Toronto's growing population on underutilized lands in the Avenues and elsewhere.

Policy 4.5(2) sets out a number of policy criteria for development within the Mixed Use Areas designation including, among other things:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the

- spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residents; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

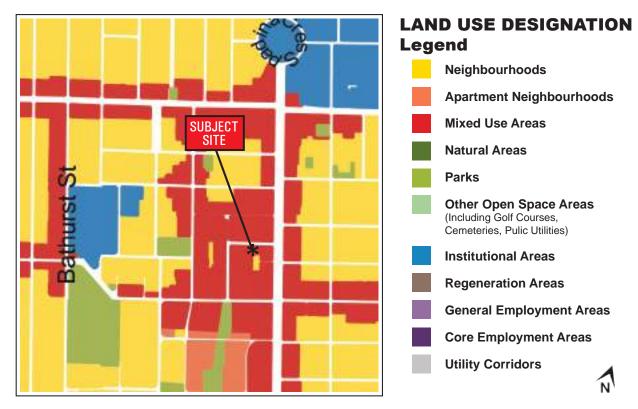


Figure 9 - Land Use Plan - Map 18

BUILT FORM POLICIES

Section 3.1.2 of the Official Plan recognizes the importance of good design, not just as an aesthetic overlay, but also as an essential ingredient of city-building. It demands high quality architecture, landscape architecture and urban design, both within the public realm and within the privately-developed built form. The Plan recognizes that, as intensification occurs in the *Downtown* and elsewhere throughout the City, there is an extraordinary opportunity to build the next generation of buildings and to create an image of Toronto that matches its status as one of the great cities of North America.

In putting forward policies to guide built form, the Plan notes that developments must be conceived not only in terms of the individual building site and program, but also in terms of how that building and site fit within the context of the neighbourhood and the City.

Policy 3.1.2(1) provides that new development will be located and organized to fit with its existing and/or planned context, and to frame and support adjacent streets, parks and open spaces. Relevant criteria include:

- generally locating buildings parallel to the street with a consistent front yard setback;
- on corner sites, locating development along both adjacent street frontages and giving prominence to the corner;
- locating main building entrances so that they are visible and directly accessible from the public sidewalk; and
- providing ground floor uses that have views into and, where possible, access to adjacent streets.

Policy 3.1.2(2) requires that new development locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties by, among other things:

- using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts:
- consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- integrating services and utility functions within buildings where possible;

- providing underground parking where appropriate; and
- · limiting surface parking between the front face of a building and the public street or sidewalk.

Policy 3.1.2(3) sets out policies to ensure that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
- providing for adequate light and privacy;
- 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
- minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Policy 3.1.2(4) provides that new development will be massed to define the edges of streets, parks and open spaces at good proportion.

Policy 3.1.2(5) requires that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- improvements to adjacent boulevards and sidewalks respecting sustainable design elements, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;
- coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;

- weather protection such as canopies and awnings; and
- landscaped open space within the development site.

Policy 3.1.2(6) requires that every significant new multi-residential development provide indoor and outdoor amenity space for residents, giving each resident access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

HOUSING POLICIES

The introductory text in Section 3.2.1 of the Plan notes that the current production of ownership housing, especially condominium apartments, is in abundant supply, however, a healthier balance is needed among high-rise ownership housing and other forms of housing, including purposebuilt rental housing. The text goes on to state that policies, incentives and assistance are needed in order to respond to the City's unmet housing needs, especially mid-range and affordable rental housing.

The Plan's housing policies support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods, to meet the current and future needs of residents (Policy 3.2.1(1)). Policy 3.2.1(2) provides that new housing supply will be encouraged through intensification and infill that is consistent with the Plan. Policy 3.2.1(3) provides that investment in new rental housing, particularly affordable rental housing, will be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory, administrative policies and incentives.

IMPLEMENTATION POLICIES

Policy 5.3.2(1) provides that implementation plans, strategies and guidelines, while they express Council policy, are not part of the Plan unless the Plan has been specifically amended to include them and do not have the status of the policies of the Official Plan adopted under the Planning Act. This policy is relevant with respect to the status of the urban design guidelines discussed in Sections 4.6 below.

Policy 5.1.1(4) states that Section 37 may be used for development, expecting non-profit developments, with more than 10,000 square metres of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or significantly increases the permitted height. Policy 5.6.1(1.1) provides that the policies in the Official Plan should not be read in isolation or to the exclusion of other relevant policies in the Plan. When more than one policy is relevant, all appropriate policies are to be considered in each situation. The goal of this Plan is to appropriately balance and reconcile a range of diverse objectives affecting land use planning in the City.

SITE AND AREA SPECIFIC POLICY 197 - KENSINGTON MARKET

The site is subject to Site and Area Specific Policy 197, Kensington Market, which provides that development should be consistent with the special characteristics of the area, including low scale buildings with retail at grade, minimal set backs, and open air display of goods on the boulevard.

4.4 Downtown Secondary Plan

On July 27, 2018, the City of Toronto Council enacted By-law 1111-2018, adopting Official Plan Amendment (OPA) 406, which includes a new Downtown Secondary Plan and associated amendment to Section 2.2.1 and Map 6 of the Official Plan. On August 2, 2018, the City submitted OPA 406 to the Minister of Municipal Affairs and Housing for approval under Section

26 of the Planning Act. The Minister of Municipal Affairs and Housing issued a Notice of Decision on June 5, 2019, approving Official Plan No. 406 with 224 modifications. The Minister's approval is final and not subject to appeal.

Under Section 2: Vision, the Downtown Plan indicates that a range of *Downtown* housing options attract individuals and families of diverse economic circumstances and that new buildings have been shaped and scaled to fit within their setting, conserve heritage, improve liveability of the public spaces around them and provide amenities needed by residents and workers.

Section 3 of the Downtown Plan sets out a number of goals. Under "Complete Communities", Policy 3.3 indicates 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 in this Plan". Policy 3.5 says 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". Under Connectivity, Policy 3.5A indicates that development of Downtown will integrate land use planning with planning and investment infrastructure... this Plan recognizes rapid transit as a first priority for major transportation investments. To optimize provincial investment in rapid transit, this Plan seeks to align rapid transit with growth directing growth to existing and planned major transit station areas.

In terms of growth (and land use), the subject site is located within the boundaries of the Downtown Plan and is designated *Mixed Use Area 4 – Local* (see **Figure 9**). Section 4 indicates that the *Downtown* is expected to absorb growth, however not all areas of *Downtown* are intended to experience the same amount or intensity of growth. The character and diversity of *Downtown* neighbourhoods will continue to be valued as the city grow. Within certain areas, less intensification is anticipated, while in others, a low- or mid-rise scale of development that responds to local character may be appropriate.

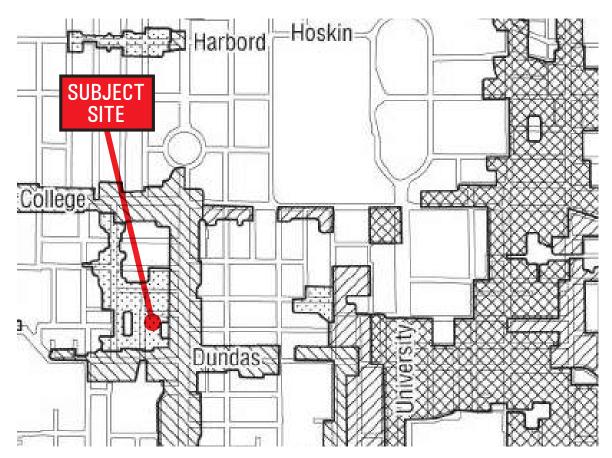


Figure 10 - Mixed Use Area

While Policy 4.1 of the Downtown Plan states that growth is encouraged within the *Downtown*, in particular on lands designated *Mixed Use Areas 1*, *Mixed Use Areas 2*, *Mixed Use Areas 3*, *Regeneration Areas* and *Institutional Areas*, the Plan also indicates that the highest levels of density are intended to be directed to *Mixed Use Areas* in close proximity to existing or planned transit stations and that modest levels of growth are anticipated for other areas in the *Downtown*.

Section 6 of the Plan (Land Use and Economy) indicates 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 *Mixed Use Areas* have varied characteristics and constraints, and thus, the specific scale and intensity of development will vary based on local context. Areas where the existing and planned context is low in scale require a modest and measured approach to intensification. Other areas will generally be

developed with buildings of a moderate scale in a mid-rise form.

Policy 6.20 provides that *Mixed Use Areas* would have to contain development of varying scales and intensities, based on the existing and planned context. Policy 6.21 speaks to permitted building heights, massing and scale of development and indicates that heights, massing and scale are to transition between each of the four *Mixed Used Areas*, with the tallest buildings located in *Mixed Use Areas 1*, stepping down through *Mixed Use Areas*, with the tallest buildings located in *Mixed Use Areas 2* and *Mixed Use Areas 3* to low-scale buildings in *Mixed Use Areas 4*.

Policy 6.22 notes 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 must 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.

With respect to *Mixed Use Areas 4*, Policy 6.32 provides that they will contain a mix of uses with a prevailing character of house form and other types of low-rise buildings. Policy 6.33.1 states that *Mixed Use Areas 4* will contain residential, small-scale office, institutional, service and retail uses that generally serve the needs of the local community. 6.33.2 further notes that development in *Mixed Use Areas 4* will be of a low-rise scale, generally four storeys or less in height, which will be compatible with the existing physical character of the neighbourhood as well as the planned context, including consideration of the prevailing heights, massing, scale, density and building type.

Section 9 of the proposed secondary plan includes policies related to built form. Policy 9.1 requires development to:

- enhance the liveability of the building's surroundings and its interior spaces;
- contribute to liveability by minimizing uncomfortable wind conditions and providing access to sunlight, natural light, openness and sky-view; expanding and improving the public realm; ensuring privacy; providing high-quality amenity spaces; and conserving heritage;
- demonstrate design excellence of the building and surrounding public realm;
- demonstrate a high standard of heritage conservation; and
- include high-quality, durable materials and sustainable and resilient building practices.

Policy 9.8 would require base buildings will be designed to respect the scale and proportion of adjacent streets, parks and open spaces; fit harmoniously within the existing and planned context of neighbouring streetwall heights; animate and promote the use of adjacent streets, parks and open spaces by providing active uses at grade and multiple entrances; incorporate appropriate glazing; and include high-quality materials and design elements that fit with neighbouring buildings and contribute to a pedestrian scale.

Policy 9.9 provides that that base buildings of development be generally sited, massed and designed to maximize sunlight access on public sidewalks between March 21st and September 21st around mid-day.

Policy 9.10 requires that development on sites that include or are adjacent to properties on the Heritage Register will include base buildings that are compatible with the streetwall height, articulation, proportion, materiality and alignment thereof.

As per Policy 9.14, development would need to be located and massed to define and frame the edges of the public realm with good street proportion, ensuring comfortable sun and wind conditions on the public realm and neighbouring properties by stepping back building mass and/or limiting building floorplates above the streetwall height to allow daylight and sunlight to penetrate to the street and lower building levels.

Section 11 of the Downtown Secondary Plan provides policies regarding housing which building on the policies of the Official Plan. Policy 11.1 provides that to achieve a balanced mix of unit types and size, and support the creation of housing suitable for families, development containing more than 80 new residential units will include a minimum of 15% 2-bedroom units, 10% 3-bedroom units, and an additional 15% of the overall number of units will be a combination of 2- or 3-bedroom units or convertible units through the use of accessible or adaptable design measures. As per Policy 11.2, these requirements may be reduced where the development is providing social or other publicly funded housing or specialized housing such as post-secondary student or healthcare associated housing.

4.5 Zoning

The in-force zoning by-law applying to the subject site is Zoning By-law 438-86, as amended, of the former City of Toronto. The new City-wide Zoning By-law No. 569-2013, as amended, was enacted by City Council on May 9, 2013; however, it was appealed to the Local Planning Appeal Tribunal in its entirety. While portions of the by-law have now been approved by the Tribunal, it is not yet fully in force.

The former City of Toronto Zoning By-law 438-86, as amended, zones the subject site as CR T2.0 C2.0 R1.5 (see **Figure 10**), with a height permission of 12.0 metres. The zone permits a mix of commercial and residential. Specifically, commercial uses are permitted on the subject site up to a maximum density of 2.0 times the area of the lot, and residential uses are permitted up to a maximum density of 1.5 times the area of the lot. The overall permitted density for the lot is 2.0 times the area of the lot. By-law 438-86 establishes a maximum height limit of 12.0 metres for properties within the Kensington Market neighbourhood.

Exceptions listed in Section 12(1) 3(b), 279 and Section 12(2) 56, 126, 132, 240, 256(b), and 270 apply to the subject site. These provide provisions for the Kensington Market commercial area which include, among other items, regulations regarding permitted land use, parking provisions, dwelling unit requirements and gross floor area for certain lots.

The City-wide Zoning By-law 569-2013, as amended, zones the subject site as CR 2.0 (c2.0; r1.5) SS2 (x2457) (see **Figure 11**), with a height permission of 12.0 metres (H 12.0). The zone permits a mix of commercial and residential uses (including an apartment building) on the subject site. Specifically, commercial uses are permitted

on the subject site up to a maximum density of 2.0 times the area of the lot, and residential uses are permitted up to a maximum density of 1.5 times the area of the lot. The overall permitted density for the lot is 2.0 times the area of the lot. Bylaw 438-86 establishes a maximum height limit of 12.0 metres for properties located within the Kensington Market commercial area (see **Figure 12**, By-law 569-2013 — Heights). Development Standard Set 2 applies to the site. The lands are subject to the following site-specific provisions:

- Despite regulations 40.10.20.40 (1) and 40.10.20.100 (18), dwelling units are permitted in building types with less than 5 dwelling units;
- Despite regulations 40.10.20.40 (1) and 40.10.20.100 (18), an apartment building is not permitted;
- Dwelling units are only permitted above the first storey; and
- These premises must comply with Exception 900 11.10(2) (regarding parking).

Further, Section 12(1) 279, Section 12(2) 56, 132, 240, and 270(a) in By-law 438-86 prevail in the new by-law and the parking rates set out in 900.11.10(2) will apply.

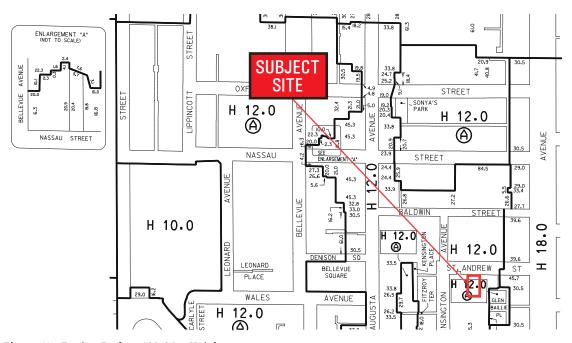


Figure 11 - Zoning By-law 438-86 - Heights

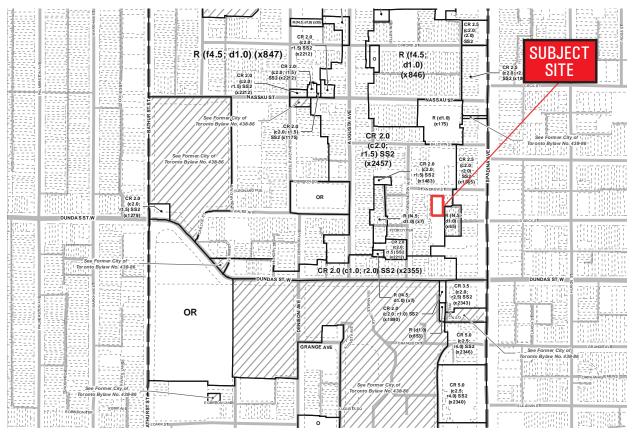


Figure 12 - Zoning By-law 569-2013 - Zoning

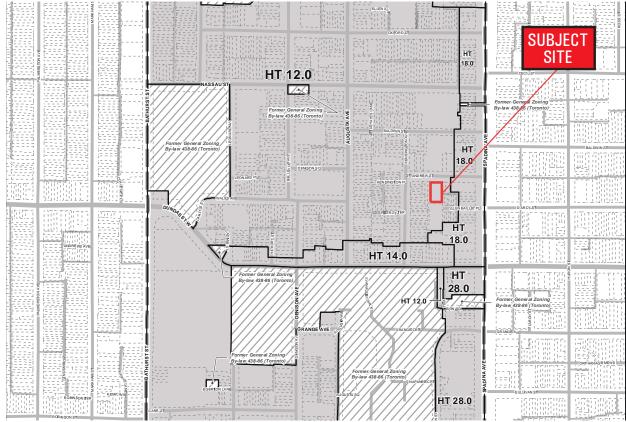


Figure 13 - Zoning By-law 569-2013 - Heights

4.6 Mid-Rise Building Guidelines

At its meeting on July 6, 7 and 8, 2010, City Council adopted a staff recommendation to use the Performance Standards for Mid-Rise Buildings proposed in the "Avenues & Mid-Rise Buildings Study" (May 2010) in evaluating mid-rise building development proposals along Avenues for a monitoring period of approximately two years. The July 2010 Council decision directed that staff was to report back to the Planning and Growth Management Committee on the effectiveness of the Performance Standards and potential implementation measures.

On November 13, 2013, Council adopted a staff recommendation to extend the monitoring period to the end of 2014 to allow staff to complete consultations on the effectiveness of the Mid-Rise Building Performance Standards, and to direct the Chief Planner to report to the Planning and Growth Management Committee at the conclusion of the monitoring period regarding any modifications to the Performance Standards.

Staff reported back to the Planning and Growth Management Committee at its meeting on October 8, 2015. The staff report dated August 28. 2015 concluded that the Performance Standards were working well, requiring only a few changes. The recommended changes include: additional quidelines for very deep lots; minor adjustments and guidance for grade-related retail uses; maximum height in Character Areas with narrow rights-of-way; and more clarity and elaboration regarding the minimum 5 hours of sunlight and stepback requirements. Minor corrections to the Retail Priority and Character Area maps were also identified, and a few Performance Standards were deemed redundant and were suggested to be removed altogether. At its meeting on November 3, 2015, Council did not adopt the recommendations of staff and the Planning and Growth Management Committee and instead referred the matter back to the Planning and Growth Management Committee for further consideration.

On March 11, 2016, City Planning staff issued a report on Mid-Rise Building Performance Standards Monitoring, followed by an addendum report on April 20, 2016. On June 7, 2016, City Council approved the revised Mid-Rise Building Performance Standards Addendum attached to the April 20, 2016 report, with a direction to City Staff to use the addendum in conjunction with the 2010 Performance Standards to evaluate development applications where mid-rise buildings are proposed.

Section 3 of the Mid-Rise Guidelines provides a series of Performance Standards that are intended to guide the design of mid-rise buildings along Avenues and on sites meeting criteria from the 2016 addendum. The Performance Standards are guided by the objective to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent neighbourhoods. In that respect, they are designed to ensure that Avenues are developed in an appropriate and context-sensitive manner. Key provisions for mid-rise buildings include the following:

- buildings are moderate in height no taller than the right-of-way is wide (a 1:1 ratio), up to a maximum height of 11 storeys (36 metres), excluding mechanical penthouse;
- buildings provide an appropriate transition in scale to adjacent neighbourhoods, taking into account a 45-degree angular plane;
- sidewalks are wide enough to include and support trees, generate a lively pedestrian culture and ensure accessibility for all (minimum sidewalk width of 4.8 metres);
- sidewalks on the main streets enjoy at least five hours of sunlight from the spring through to the
- fall;
- the ground floors of buildings provide uses that enliven sidewalks and create safe pedestrian conditions;
- buildings should be built to the side property lines, to the create continuous facades and avoid blank walls; and
- mechanical penthouses may exceed the maximum height limit by up to 5.0 metres but may not penetrate any angular planes.

The Performance Standards recognize that exceptions may sometimes be warranted and that, at times, a project that strives for excellence in design can demonstrate that a specific guideline is not appropriate in that instance. While we are accordingly of the opinion that the

Mid-Rise Guidelines generally apply insofar as the Site appropriate built form typology is more consistent with a mid-rise building than a tall building.

4.7 Draft Growing Up Guidelines

In 2015, City Planning staff initiated a study entitled "Growing Up: Planning for Children in New Vertical Communities". The study explored how new multi-unit residential buildings and "vertical neighbourhoods" can better accommodate the needs of households with children. A staff report summarizing the study process and draft guidelines was adopted by City Council at its meeting on July 5, 2017.

The draft guidelines will be applied in the evaluation of new and under review multi-unit residential development proposals and will be used as part of ongoing consultations with the design and development industries through the approvals process, with a report back on any proposed modifications by the end of the first quarter in 2018. Staff will monitor implementation of the draft guidelines for a period of two years with a report back on the results in 2019.

Generally, the draft guidelines are structured at three scales: the neighbourhood, the building, and the dwelling unit. The objective of the draft guidelines is to ensure that developments deliver tangible outcomes to increase the livability for larger households, including households with children. At the neighbourhood scale, the draft guidelines focus on children's experience in the city, promoting independent mobility, and access to parks, schools and community infrastructure.

At the building scale, the draft guidelines seek to increase the number of larger units, encouraging the design of functional and flexible amenity and common spaces that supports residents' interaction (e.g. creating a "critical mass" of larger units to attract large households, potentially concentrated at lower levels). At the unit scale, the draft guidelines focus on size and functionality to ensure that each dwelling unit provides the space for the social functions of larger households.

PLANNING BDESIGN ANALYSIS

5.1 Intensification

The proposed residential intensification on the subject site is appropriate and desirable and would contribute to the achievement of numerous policy directions articulated in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan, all of which promote intensification on site that are well served by municipal infrastructure, including public transit.

The subject site is located within the Downtown, approximately 160-190 metres from two streetcar stops servicing the 310 and 510 Streetcar routes, which travel in dedicated rights-of-way. The site is also located approximately 234 metres to the intersection of Spadina Avenue and Dundas Street, providing access to the 505 streetcar route, as well as approximately 420 metres from the intersection of Spadina Avenue at College Street, providing access to the 306 and 506 Streetcar Routes. All streetcar routes provide access to the subway network. Accordingly, the subject site is considered to be within an Urban Growth Centre and a major transit stations area as defined in the Growth Plan. Urban Growth Centres are intended to support a mix of uses and increased residential and employment densities, while increased densities are promoted in major transit station areas to support the viability of existing and planned transit service levels.

The Official Plan expresses strong policy support for creating new jobs and homes on underutilized lands, which is intended to reduce automobile dependency and concentrate population and jobs in areas well served by transit. The current use of the subject site for a low-rise building represents an underutilization of land and infrastructure within the *Downtown* and in proximity to two subway lines.

The optimization of density on the subject site is consistent with both good planning practice and overarching Provincial and City direction, subject to achieving appropriate built form relationships. As well, residential intensification will result in population growth that will contribute to the achievement of population forecasts in the Growth Plan and the Official Plan. Strong policy support is expressed in the Official Plan for new housing in the *Downtown*, which is intended

to minimize in-bound commuting and provide homes for *Downtown* workers.

Residential intensification on the subject site will increase the *Downtown* population, providing housing opportunities for residents within the Kensington Market neighbourhood, including students attending nearby universities and colleges. In this regard, the proposal will support the nearby University of Toronto, as well as support major employment concentrations along College Street and University Avenue. Intensification on the subject site can also take advantage of the wide array of shops, services, restaurants and cultural and institutional facilities along Spadina Avenue and within the Kensington Market and Chinatown neighbourhoods, and in turn can provide additional population-based support to those facilities and contribute to the revitalization and improvement of the immediate area.

Also, intensification on the subject site will support transit ridership, assist in reinforcing the role of the *Downtown* as a desirable living area, and allow residents to take advantage of the employment opportunities and services in the surrounding area.

Within the explanatory text in Section 2.1 of the Official Plan, it is noted that, by making better use of existing urban infrastructure and services before introducing new ones on the urban fringe, reurbanization helps to reduce demands on nature and improves the liveability of the urban region by: reducing the pace at which the countryside is urbanized; preserving high quality agricultural lands; reducing reliance on the private automobile; reducing greenhouse gas emissions; and reducing consumption of nonrenewable resources.

As well, for the reasons set out above, it is our opinion that the permitted height and density in the existing in-force Zoning By-law 438-86 for the subject site is not consistent with the Provincial Policy Statement (2014) and do not conform with either the Growth Plan (2019) or the Official Plan (2006). In this regard, the CR T2.0 C2.0 R1.5 zoning is outdated and dates back to at least 1986, with the enactment of the former comprehensive zoning by-law (By-law 438-86). The zoning pre-dates the PPS (2005), the Growth Plan (2006) and the new Toronto Official Plan

(2006) and has not been updated to respond to the policy directions set out in the 2006 Official Plan and the 2019 Growth Plan, specifically with respect to the Downtown Toronto "urban growth centre" and "major transit station areas".

The amendment will be updated to be consistent with the policies of the Provincial Policy Statement's direction to "optimize" the use of land and public investment in infrastructure and public service facilities. In this regard, "optimization" means making something "as fully perfect, functional, or effective as possible". In our opinion, the existing zoning does not make use of land and infrastructure in a way that is efficient or as effective as possible.

Furthermore, intensification is also supported by the now in-force Downtown Secondary Plan. Policy 4.1 provides that growth is encouraged in the Downtown with the highest densities being directed to Mixed Use Areas in close proximity to existing or planned transit stations. Policy 6.18.3 states that the Downtown Mixed Use Areas will provide an urban form that will optimize infrastructure, particularly within 500-800 metres of existing or planned rapid transit stations. With regards to Mixed Use Areas 4, Policy 6.33.2 provides that development will be of a low-rise scale, generally four storeys or less in height, which will be compatible with the existing physical character of the neighbourhood as well as the planned context, including consideration of the prevailing heights, massing, scale, density and building type. Furthermore, it is noted that Policy 6.22 indicates that while not all sites can accommodate the maximum scale of development anticipated in each of the Mixed Use Areas, other sites may be able to accommodate more than the anticipated scale. In this regard, as addressed in Section 5.3 below, the proposed building is compatible with the existing character of the eastern edge of the Kensington Market area and is appropriate to accommodate more height and density.

5.2 Land Use

The proposed development is consistent with the land use permissions of the Mixed Use Areas designation, which include a broad range of commercial and residential uses in single-use or mixed-use buildings. The Official Plan states that Mixed Use Areas will create a balance of high quality commercial, residential, institutional and open space uses. Policy 4.5(2) sets out development criteria for the consideration of development proposals in Mixed Use Areas. The proposed development conforms to policies of the Mixed Use Areas designation from a land use perspective.

The Mixed Use Areas designation is one of four land use designations intended for growth and to accommodate the increase in jobs and population anticipated by the Official Plan. The Plan notes that the Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. The objective of the Official Plan in intensifying Mixed Use Areas is that of reurbanization. The proposed retail space in the building base will enhance the public realm along St. Andrews Street and the residential units proposed will provide for additional living opportunities within the area, particularly for students.

The proposed development is consistent with the Downtown Secondary Plan land use permissions for Mixed Use Areas 4, which provides that development will contain residential, smallscale office, institutional, service and retail uses that support the local community. The proposed residential and retail uses are intended to contribute to the existing character of the Kensington Market neighbourhood, contributing to the housing stock and availability of smallscale retail space.

In terms of amenity space, the proposed development will include indoor and outdoor amenity space to be utilized by all tenants. The indoor and outdoor amenity space to be utilized by all tenants. The indoor and outdoor amenity space to be utilized by all tenants. The indoor and outdoor amenity will exceed the minimum by-law requirements.

5.3 Height, Massing and Density

In our opinion, the proposed height, massing, and density of the new building is appropriate and compatible with the surrounding context, and conform with the *Mixed Use Areas* designation.

With respect to height, while the Downtown Secondary Plan provides that within the Mixed Use Areas 4 designation, development will be of a low-rise scale, generally four storeys or less in height, which will be compatible with the existing physical character of the neighbourhood as well as the planned context, including consideration of the prevailing heights, massing, scale, density and building type. In this regard, from a broader urban structure perspective, as indicated above, the subject site is located within the eastern edge and transition area of the Kensington Market neighbourhood, where taller heights exist towards and/or along Spadina Avenue. For example, the subject site is neighboured by a 4-storey parking garage at 20 St. Andrew Street/161 Baldwin Street, a 7-storey residential building with retail at grade further north at 160 Baldwin Avenue, followed by 21 Nassau Street which is occupied by a 4-storey residential building. To the south of the subject site, 310-316 Spadina Avenue is occupied by a 6-storey commercial office building and a 5-storey commercial building at 302 Spadina Avenue, while further north, there are two 5-storey residential buildings along Oxford Street (8 and 34 Oxford Street). It is therefore our opinions that the proposed height is appropriate and would compatible with existing character and planned context, respecting the prevailing heights within the eastern edge of the Kensington Market neighbourhood.

From a massing perspective, the building has been designed to provide a number of stepbacks to respond to the local context, which not only achieves an appropriate streetwall height along St. Andrew Street, but also provides an appropriate transition in scale to adjacent buildings, particularly the low-rise residential dwellings to the southeast along Glen Baillie Place.

Along St. Andrew Street, the 3-storey portion of the building will be similar in height to the 2- to 3-storey buildings along the rest of the street. Furthermore, the portions of the base

element are angled providing more visibility of the architectural features (i.e. the turret) of the adjacent building to the east to maintain views along the street edge. At the rear, the 3-storey base element is compatible with the dwellings along Glen Baillie Place.

Above the base element located along the street frontage, the 4th and 5th storeys are stepped back from the angled façade of the lower levels in order to locate the taller portions of the building away from the street and to reinforce the 3-storey base condition. This 3-storey condition is continued along the west and south façades of the building through a 1.5 metre stepback above the 3rd level. Also, along the east property line, the upper levels are stepped back 3.0 metres to provide separation between the proposed building the turret feature of the adjacent building, whereas at the southeast end of the building, the upper levels are stepped back 2.0 metres from the 3-storey base in order to maintain the low-rise base condition.

The mechanical/amenity penthouse above the 5th storey is stepped back an additional 3.9 metres from the street and approximately 6.1 metres from the east to minimize the impact along the street and to give prominence to the adjacent low-rise building to the immediate east. The rear portion of the mechanical/amenity penthouse level is setback 8.5 metres from the upper residential level to minimize any impact to the properties to the east along Glen Baillie Place, while 1.5 metre stepbacks are provided along the west and rear of the building to further reduce the scale of the overall building, at the upper level to minimize its appearance from the street. Based on the foregoing, it is our opinion that the proposal fits the existing physical character of the neighbourhood.

From a <u>density</u> perspective, it is our opinion that the resulting density of 2.9 FSI is appropriate and desirable. Firstly, the density reflects a modest form of residential intensification that is appropriate for the site given its location in proximity to the streetcar route to the east along Spadina Avenue, and other site-specific attributes described above, including its location in the transitional area between the Kensington Market neighbourhood and Spadina Avenue corridor.

Secondly, it is noted that the Official Plan does not generally include density limitations and specifically does not do so in the case of the subject site. The Official Plan provides that land use designations are generalized, leaving it to the Zoning By-law to "prescribe the precise numerical figures and land use permissions that will reflect the tremendous variety of communities across the City". Accordingly, it is reasonable to establish the appropriate density for the subject site based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers.

5.4 Built Form Impacts

Potential built form impacts include light, view and privacy impacts, shadow impacts and wind impacts. The Official Plan development criteria applying to the Mixed Use Areas designation have a particular focus on potential built form impacts on adjacent lower-scale Neighbourhoods. In particular, Policy 4.5.2(c) requires buildings to be located and massed to provide transition through appropriate setbacks and/or a stepping down of heights towards lower scale Neighbourhoods, while Policy 4.5.2(d) requires buildings to be located and massed to adequately limit shadow impacts on adjacent Neighbourhoods.

In this respect, the subject site is located adjacent to properties designated Neighbourhoods. These properties are located on either side of Glen Baillie Place. In this regard, the proposed development provides an appropriate separation and transition in scale to those low-rise properties by setting the building back approximately 5.4 metres from the east property line abutting the Neighbourhoods designation (7.5 metres for the ground floor to the east property line) and stepping the upper portions and mechanical/amenity penthouse level 2.0 metres and 8.5 metres, respectively.

In our opinion, the resulting built form impacts are minimal and acceptable within an urban context.

LIGHT, VIEW AND PRIVACY

Light, view and privacy (LVP) impacts are generally addressed through a combination of spatial separation, orientation and mitigating measures between buildings.

In this regard, the underlying CR zoning standard in By-law 438-86 requires a setback of 5.5 metres from principal residential windows (i.e. windows other than bathroom or kitchen windows) to property lines that are not streets or lanes, and a separation distance of 11.0 metres between facing windows of principal residential rooms on the same site.

By virtue of the right-of-way width of St. Andrew Street of approximately 20 metres, the separation distance between the proposed units and buildings to the north will be greater than the minimum CR standard of 11 metres.

To the east, the front portion of the base element of the building is built to the lot line, which is similar to the current condition. However, since there are no east facing windows, there will be no LVP impacts to the adjacent building. Above the 3-storey base, east facing windows will result in minimal LVP impact as these units will out onto the roof of the adjacent building. The rear portion of the base element of the building is setback a minimum of 5.4 metres providing an improvement to the existing condition where the current building is built to the lot line. This results in improved light penetration into the rear yards of the adjacent properties along the north side of Glen Baillie Place. In terms of privacy and overlook, the proposed setback is generally consistent with the CR zoning standard. Above the 3rd floor, the units are setback a minimum of approximately 7.4 metres, which exceeds the CR standard.

To the south, there are minimal LVP impacts as there are no south facing windows proposed and that the site is currently vacant. In the event that the site is redeveloped, it is our opinion that given the orientation of the lot, the north façade of a potential building will likely have a similar setback to the property line, as well as a blank wall condition and have windows facing east and west.

To the west, notwithstanding that technically, the 5.5 metre CR setback standard does not apply given the existence of the private laneway, the proposed building is setback approximately 3.1 metres to the centreline of the private laneway (or approximately 6.2 metres to the adjoining property line) providing adequate separation to the adjacent properties. Above the base building, the upper floors are setback an additional 1.5 metres providing an overall setback of approximately 7.7 metres.

SHADOW IMPACTS

Official Plan Policies 3.1.2(3) and 4.5(2)(d) require that new development adequately limit shadowing on neighbouring streets, properties (particularly those designated *Neighbourhoods*) and open spaces, having regard for the varied nature of such areas. A shadow study has been prepared by SvN Architects assessing the shadow impacts at the spring equinox (March 21st) and at the summer and winter solstices (June 21st/ December 21st) at each hour between 9:18 a.m. and 6:18 p.m. It should be noted that sun/shadow conditions at the fall equinox (September 21st) are very similar to those at the spring equinox.

The shadow study demonstrates that there will be no incremental shadow impact on any lands designated *Neighbourhoods* on March 21st until 2:18 p.m., whereas on June 21st, there will be no incremental shadow impacts until 3:18 p.m. With respect to nearby parks, there will be no shadow impacts on any nearby parks and open spaces at any time in the year.

With respect to other open spaces, on March 21st, the front steps of the Anshei Minsk Synagogue immediately north of the subject site, on the north side of St. Andrew Street, were considered in evaluating incremental shadow impacts. In this regard, the study demonstrates that there would be in incremental shadow impact onto this area at any time on March 21st and June 21st.

In terms of shadowing on streets, on March 21st, there will be incremental shadowing onto the north side of St. Andrew Street between 9:18 a.m. until after 11:18 a.m., while on June 21st, there will be no incremental shadow impact from the proposed building throughout the day. There are no incremental shadow impacts onto Kensington Avenue, Glen Baillie Place and Spadina Avenue at any times on March 21st and June 21st, except for a very minor incremental impact on the east side of Kensington Avenue at 9:18 a.m. on March 21st and on the north side of Glen Baillie Place at 6:18 p.m. on June 21st.

Based on the foregoing, it is our opinion that the shadowing on neighbouring streets, properties and open spaces would be "adequately limited" in accordance with the applicable Official Plan policy, given the location of the site within the *Downtown* and in proximity to existing and planned subway stations and streetcar routes.

5.5 Urban Design

In our opinion, the proposed design conforms with the criteria for development in *Mixed Use Areas* and with the general built form and urban design policies of the Official Plan, particularly, Policies 2.3.1(3), 3.1.2(1), 3.1.2(2), 3.1.2(3), 3.1.2(4), 3.1.2(5) and 3.1.2(6). The proposal will:

- Locate the main building entrance along the front façade of the building so that it is clearly visible and directly accessible from the public sidewalk along St. Andrew Street;
- Provide active ground floor uses along St. Andrew Street, which will further enhance the safety, amenity and animation of the street;
- Maintain the existing one curb cut from the private laneway to provide access to the internal loading area which is located toward the rear of the building to minimize their impact on surrounding properties and to improve the safety and attractiveness of St. Andrew Street. Loading area toward the rear of the building is also screened with an overhead door;
- Mass and design the building to fit harmoniously into the built form context, while providing good street proportion and transition in scale to adjacent properties;
- Incorporate exterior design elements to influence the character scale and appearance of the development:
- Provide for adequate light and privacy through the use of stepbacks along the frontage and rear and side yards;
- Adequately limit incremental shadow impact on neighbouring streets and properties through the use of angular planes and stepbacks;
- Provide high-quality streetscape providing for a more attractive, interesting, comfortable and functional for pedestrians; and
- Provide indoor and outdoor amenity space for residents.

In addition, it is our opinion that the proposed design conforms to the objectives of the Downtown Secondary Plan, including Policies 9.1. 9.8, and 9.9. In particular, the proposal will:

- Enhance the liveability of the surrounding area along St. Andrew Street, including wind and light conditions;
- Provide good design of the building and public realm:
- Include a base building that relates to the scale and proportion along St. Andrew Street, including fitting compatibly with the existing and planned context of neighbouring streetwall heights;
- Incorporate appropriate glazing; and
- Provide a transition from the base building to relate to adjacent properties.

As per Policy 5.3.2(1) of the Official Plan, the Avenues and Mid-Rise Buildings Study is not policy and accordingly exceptions may sometimes be warranted to the guidelines. It is our opinion that the proposed mid-rise building is in general alignment with the key performance standards including:

Maximum Overall Height (Performance Standard #1). The maximum allowable height of buildings on the Avenues will be no taller than the width of the Avenue right-of-way, up to a maximum midrise height of 11 storeys (36 metres), excluding a wrapped mechanical penthouse.

• The proposal complies with this performance standard as it provides a height of 16.5 metres to the top of the 5th storey (excluding the wrapped mechanical penthouse) and the width of the abutting right-of-way is 20 metres.

Minimum Building Height (Performance Standard #2). All new buildings on the Avenues must achieve a minimum height of 10.5 metres (3 storeys) at the street frontage.

• The proposal includes a streetwall of 10.5 metres. While this does not fully comply with the performance standard, the proposed streetwall height is appropriate in the context of the adjacent structures along St. Andrew Street.

Minimum Ground Floor Height (Performance Standard #3). The minimum floor-to-floor height of the ground floor should be 4.5 metres to facilitate retail uses at grade.

 The proposal complies with the performance standard by providing a ground floor height of 4.5 metres.

Front Façade: Angular Plane (Performance Standard #4A). The building envelope should allow for a minimum of 5-hours of sunlight onto the Avenue sidewalks from March 21st- September 21st by limiting the street wall height to 80% of the right-of-way width and stepping back upper storeys within the 45-degree angular plane.

 As shown in the Shadow Study prepared by SvN Architects, the proposal complies with the performance standard by providing more than 5 hours of sunlight on the north sidewalk of St. Andrew Street.

Front Façade: Pedestrian Step-back (Performance Standard #4B). "Pedestrian Perception" stepbacks on buildings taller than 23 metres should be required to mitigate the perception of height and create buildings at the street that are of a comfortable scale for pedestrians.

• The proposal complies with the performance standard by providing a stepback in the front wall at a height of 10.5 metres.

Front Façade: Alignment (Performance Standard #4C). The front street wall of mid-rise buildings should be built to the front property lines or applicable setback lines.

 The proposal provides an angled front wall to provide clear sightlines toward the key architectural features of 13-15 St. Andrew However, the overall average Street. setback is generally aligned with that of this neighbouring property.

Transition to Neighbourhood: Deep (Performance Standard #5A). The transition between a deep Avenue property and areas designated Neighbourhoods, Parks and Open Space Areas, and Natural Areas to the rear should be created through setback and angular plane provisions.

The proposed building through combination of a sufficient setback and a number of stepbacks from the Neighbourhood properties, provides an appropriate side transition in scale.

Minimum Sidewalk Zones (Performance Standard #7A). Mid-rise buildings may be required to be set back at grade to provide a minimum sidewalk zone.

 The proposal provides a tapered sidewalk zone with an approximate width of 5.8 metres (including the municipal sidewalk zone) at the narrowest point, and a width of 7.6 metres at its widest point and includes street trees.

Streetscapes (Performance Standard #7B). Avenue streetscapes should provide the highest level of urban design treatment to create beautiful, safe and accessible pedestrian environments and great places to shop, work and live.

• The proposal will incorporate high-quality landscaping along St. Andrew Street to improve the pedestrian experience.

Side Property Line: Step-backs at Upper Storeys (Performance Standard 8C) There should be breaks at upper storeys between new and existing mid-rise buildings that provide sky-views and increased sunlight access to the sidewalk. This can be achieved through side step-backs at the upper storeys.

 The proposal includes side stepbacks of 1.5 metres on the west side and 3 metres on the east side at the 4th level, helping to preserve sunlight access to the sidewalk and sky-views.

Roofs & Roofscapes (Performance Standard 13) Mechanical penthouses may exceed the maximum height limit by up to 5 metres but may not penetrate any angular planes.

 The mechanical penthouse will be wrapped by amenity space on the 6th level and will be well setback and will not exceed the height limit at 5 metres.

Exterior Building Materials (Performance Standard #14). Buildings should utilize high quality materials selected for their permanence, durability and energy efficiency.

 The architectural treatment of the building's exterior will be creative and innovative, with the use of high-quality materials. These details will be further established at the site plan application stage.

Façade Design & Articulation (Performance Standard #15). Mid-rise buildings will be designed to support the public and commercial function of the Avenue through well-articulated and appropriately scaled façades.

 The front façade of the streetwall along St. Andrew Street has been appropriately scaled and designed to create a comfortable and highly animated pedestrian environment. In addition, the proposed development provide for a streetwall height that complements the existing context.

Vehicular Access (Performance Standard #16A). Wherever possible, vehicular access to on-site parking, loading and servicing facilities should be provided from local streets and rear lanes, not from the Avenue.

 The proposal provides a driveway from St. Andrew Street, along the west side of the site, providing access to the internalized loading area.

Loading and Servicing (Performance Standard #17). Loading, servicing and other vehicular functions should not detract from the use of attractiveness of the pedestrian realm.

 Loading and servicing will be internalized in the building and screened from the pedestrian realm by a door. Access will be from the west face of the building from the private laneway.

Design Quality (Performance Standard #18). Midrise buildings will reflect design excellence and green building innovation utilizing high quality materials that acknowledge the public role of the Avenues.

 The design of the building is both unique and imaginative. These details will be further established at the site plan application stage. Based on the foregoing, it is our opinion that the proposed mid-rise building meets the intent of the Mid-Rise Building Performance Standards.

5.6 Heritage

A Heritage Impact Assessment was prepared by ERA Architects in support of the proposed development. The report concludes that the proposal conserves the cultural heritage value of the adjacent heritage resource at 10 St. Andrew Street, and appropriately responds to the area's existing built form character, while allowing for intensification of the Subject Site within its emerging policy context.

An evaluation of 17 St. Andrew Street's potential cultural heritage value under Ontario Regulation 9/06 finds that the property does not contain

sufficient design, associative or contextual value to merit designation under Part IV of the OHA, and is not considered a significant cultural heritage resource. As a result, the removal and replacement of the building at 17 St. Andrew Street is not considered a negative impact, and does not have an adverse impact on the adjacent heritage property at 10 St. Andrew Street.

A number of design measures have been incorporated into the development proposal, providing a thoughtful response to the existing built form character of the area. This includes a base with stepbacks above, at-grade commercial uses and building materials that reflect the existing varied low-rise built form and finegrained commercial uses of St. Andrew Street.

The development proposal, and its design response to the surrounding built form context meets the spirit of the draft Statement of Significance and proposed objectives contained within the Kensington Market HCD Study. As a result, the proposed development is found to conform with in-force and emerging provincial policy directives, Official Plan heritage policies, and relevant municipal design guidelines.

5.7 Housing

As per Policy 3.2.1(1) of the Official Plan, the proposal contributes to a full range of housing in terms of both form and tenure. In this regard, given the proximity to OCAD University and the University of Toronto, as well as a number of other post-secondary institutions nearby, providing units geared towards students provides a housing option that is not readily available to a segment of the demographic that is prevalent in the area. It should be observed that many of the accommodations within the Kensington Market area house students, it is our opinion, that by providing for a student-focused rental building, there is the potential that students currently residing in units within the neighbourhood could relocate to the proposed building and therefore make available existing housing opportunities within Kensington Market for others. In this regard, the proposal is in conformity with Policy 3.2.1(2), as the proposal ensures that the existing housing stock in the area will be maintained, and the overall housing stock will be replenished through

intensification and infill on site that is currently underutilized.

With respect to the housing policies of the Downtown Plan, given that the proposed development only contemplates a total of 77 units, it is our opinion that the proposed development is not subject to Policy 11.1 as it only applies to developments containing more than 80 units. Furthermore, Policy 11.2 also indicates that these requirements may be reduced where the development is providing social or other publicly funded housing or specialized housing such as post-secondary student or healthcare associated housing. In this regard, the proposed development is for a student-focused building that will provide housing opportunities for students.

In terms of the City's draft Growing Up Guidelines, it is our opinion that these guidelines are not applicable to the proposal given that the development is for a student-focused rental building.

5.8 Transportation

An Urban Transportation Considerations Report has been prepared by BA Group (dated September 30, 2019). The report provides that the development plan will acceptably accommodate the vehicular, transit, pedestrian and cycling needs of the proposed development. New site related traffic volumes can be acceptably and appropriately accommodated on the area street network. Site related traffic impacts are small and will not noticeably change operating conditions at area signalized and unsignalized intersections during the peak hours.

The site is well served by high level public transit, approximately 250 metres from the nearest stop along the 505 Dundas and 510 Spadina streetcar routes and approximately 1 km from the St. Patrick subway station on the Yonge-University-Spadina subway line (Line 1). This high level of transit access will provide residents of the development without a car can readily reach a wide range of destinations.

5.9 Servicing

A Functional Servicing Report was prepared by Cole Engineering, in support of the proposed development. The report finds that peak runoff rates for the proposed development will be designed to be less than or equal to the 2-year pre-development flow rate by implementing on-site SWM controls. Stormwater storage will be required to achieve this and will be provided through the use Stormtech chambers under the existing laneway. The total storage volume required is approximately 28.2 m³. A total water balance of 3.5 m³ will be stored within rainwater re-use tank in the mechanical room of the proposed building and pumped for reuse indoor plants and landscape irrigation. The results of this analysis indicate that the proposed measures will effectively meet the stormwater criteria set forth by the City and the MOE. The storm discharge from the site will be directed to an existing 375 mm diameter storm sewer St. Andrew Street.

The study found that the expected net decrease in peak discharge flow to the combined sewers from the site is approximately 4.9 L/s during WWF conditions when considering peaking factors. The flow will be directed to an existing 600 mm x 900 mm combined sewer on St. Andrew Street. During all four scenarios considered, there is no surcharging expected downstream of the proposed development site at 17 St. Andrew Street. The receiving sewers have available capacity to support the proposed increase in sanitary flow.

5.10 Community Services and Facilities

While development applications of this nature typically require a Community Services and Facilities Study ("CS&F" Study), Staff at City Planning's Strategic Initiatives and Policy Analysis Division, as well as City Planning's Community Planning Division have determined that a CS&F Study is not needed for this application as they already have up-to-date knowledge of community services and facilities in the area. Staff did, however, indicate interest in how the application would assist in furthering the goals and objectives of the TOcore Secondary Plan Community Services and Facilities Strategy (the "Downtown CS&F" Strategy).

The Downtown CS&F Strategy is one of five infrastructure Strategies intended to implement the vision, goals and policies of the TOcore Secondary Plan and ensure that infrastructure planning is aligned with long-term growth. With regard to community services and facilities, the Downtown CS&F Strategy is split into five major sectors, which include recreation, childcare, libraries, schools, and human services. The strategy recommends implementation strategies and actions to achieve goals around improving existing facilities and services, and constructing new facilities to ensure that community service and facility infrastructure is able to keep up with increasing demand caused by growth in Toronto's Downtown.

We maintain that due to the nature of this project (specifically its orientation to students who will have access to services and facilities within the abovenoted sectors through their post-secondary institutions) reduces the impact prospective residents of the proposed development will have on publicly funded community facilities. Notwithstanding the foregoing, the discussion below outlines how the proposed development responds to the Downtown CS&F Strategy.

While the application will not be providing physical space on the subject site for the above noted community services and facilities, the Downtown CS&F Strategy outlines a number of other opportunities and methods to achieve the goals and objectives contained within the Downtown CS&F Strategy. One of these methods include financial contributions in the form of funding for community services, funding towards capital improvements to existing facilities, as well as funds to assist in achieving capital funding for new projects. The Downtown CS&F Strategy suggests utilizing funds collected in return for additional height and density, as set out in what was formerly Section 37 of the Planning Act.

We note that due to changes to the Planning Act that have occurred since the Downtown CS&F Strategy was written, Section 37 of the Planning Act no longer exists in the same form, and instead has been replaced by a 'Community Benefits Charge'. At the time this application has been submitted, the changes to Section 37 of the Planning Act have been granted Royal Assent in the form of proclamation by the Lieutenant

Governor. Preliminary discussions with the Local Councillor, Mike Layton indicated that funds collected in return for increased height and density ought to be directed to affordable housing due to lack of affordable units in the *Downtown* area.



The proposed redevelopment of the subject site would result in a building that is complementary and compatible to the existing and planned context within the eastern edge of the Kensington Market area. It will appropriately intensify an underutilized site, improve the streetscape along St. Andrew Street, and provide new residential units in a built form that is compatible with the existing and planned surrounding context, in keeping with the prevailing heights found along the eastern edge of the neighbourhood.

From a land use perspective, the proposed redevelopment will assist in achieving Provincial and City policy directions which promote intensification within built-up areas, particularly in areas which are well served by municipal infrastructure, including higher-order public transit. The subject site is located in the Downtown Toronto urban growth centre within convenient walking distance to a number of streetcar services, all connecting to subway service. The site is also identified as an area for intensification in both the Growth Plan and the Official Plan

From an urban design perspective, the proposed design will create a contemporary, high quality building that will contribute to the vitality and liveability of the area. The base element of the proposed building proposes a scale that is complementary to its surroundings in terms of scale and built form massing, and will support the low-rise character of frontages in the area and facilitate increased pedestrian activity along the street. The upper portions are setback in order to reduce the overall massing of the building giving more prominence to the base element. The proposed development conforms with the urban design policies of the Official Plan and Secondary Plan, as well as it achieves the intent and objectives of the Mid-Rise Building Guidelines.

Based on foregoing, it is our opinion that the proposed rezoning application is appropriate and desirable in land use planning and urban design terms and, accordingly, we recommend its approval.

