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5.0 Policy Review

Section 5 provides a detailed overview of the planning policy and regulatory framework that applies to the proposed TOC developments at King-Bathurst Station. The planning policy and regulatory framework consists of a hierarchy of documents and plans that implement Provincial direction for land use and development according to the Planning Act, starting from the provincial level to site specific by-laws and guidelines. As noted in Section 2.0, are to have regard for matters of Provincial Interest, policy

and legislation and consideration for the intent of municipal plans, by-laws and guidelines. This section introduces each of these documents, provides a summary of polices applicable to the station site, and describes how the proposed TOC developments have substantial regard for and meet the intent of these documents. This section also discusses how the proposed developments respond to specific policy requirements.



Figure 45: Illustrative Rendering - southwest corner of King and Bathurst

5.1 Provincial Policy and Legislation

Under the Planning Act, the Province issues province- and region- wide policy documents that establish priorities and strategies for responsible management of land and resources. Both proposed TOC developments at King-Bathurst respond to matters of Provincial Interest and reflect the intent of Provincial policy and legislation.

5.1.1 The Planning Act (1990)

The Planning Act, R.S.O. 1990, c. P.13 is the central piece of legislation governing matters related to land use planning in the Province of Ontario. The act provides the basis for the consideration of stated Provincial Interests, and requires all Provincial and municipal planning decisions to have regard for these interests. It provides the basis for a range of tools and mechanisms through which municipalities may control and regulate land use and development.

The proposed development has regard for matters of Provincial Interest as outlined in Section 2, including: the orderly development of safe and healthy communities (S.2.h), the adequate provision and distribution of educational, health, social, cultural and recreational facilities (S.2.i); the adequate provision of a full range of housing, including affordable housing (S.2.j), the adequate provision of employment opportunities (S.2.k); the appropriate location of growth and development (S.2.p); and the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are high quality, safe, accessible, attractive and vibrant (S.2.r).

5.1.2 Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (“the PPS”), issued under Section 3 of the *Planning Act*, provides policy direction on matters of Provincial Interest related to land use planning and development in order to enhance the quality of life for all Ontarians. The latest update to the PPS was carried out as part of the More Homes, More Choice: Ontario’s Housing Supply Action Plan and came into effect on May 1, 2020.

The objectives of the PPS are to promote a framework for the development of a clean and healthy environment and to ensure long-term economic prosperity and social well-being for all Ontarians. The *Planning Act* requires that all planning decisions be consistent with the PPS.

The PPS directs growth and development to occur within settlement areas, where development patterns are to be based on densities and a mix of land uses that efficiently utilize land and resources, (1.1.3.2.a), and supports the use of transit and active transportation (1.1.3.2.e, 1.1.3.2.f). The PPS emphasizes that intensification be directed to these areas in order to make use of available and planned infrastructure and public facilities (1.1.3.3, 1.1.3.2.b). Furthermore, the PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1.e).

Residential development is required to be transit-supportive, with a priority placed on intensification in proximity to transit corridors and stations (1.2.4.d). Planning authorities are required to plan for an appropriate range and mix of housing options and densities (1.4.1), including directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3.c). Additionally, the PPS directs municipalities to provide opportunities for a diversified economic base, as well as a range of employment and institutional uses as a component of mixed-use development (1.3.1.a).

The PPS encourages the creation of healthy, livable and safe communities (1.1.1) through the planning and provision of public spaces, open space areas and recreational facilities which foster social interaction, active transportation and community connectivity (1.5.1.a, 1.5.1.b).

The PPS also includes policies that speak to the importance of cultural heritage and archaeology. Specifically, that significant built heritage resources and cultural heritage landscapes are to be conserved (2.6.1). In instances of proposed development on lands containing archaeological resources, development or site alteration shall not be permitted without the conservation of significant archaeological resources (2.6.2). When considering development of properties adjacent to protected heritage properties, the PPS stresses the importance of heritage evaluation, and the demonstration that identified heritage attributes will be protected and conserved.

Planning authorities are encouraged to engage with Indigenous communities and consider their interests in the promotion of archaeological and cultural management plans (2.6.3, 2.6.4, 2.6.5).

The proposed developments support the Provincial Policy Statement's policy objectives related to growth management, land use, housing, and employment. Together these represent a form of intensification that is encouraged by the PPS, which will result in a mix of uses and higher densities of development in an appropriate location—at a higher order transit station within an urban area. The proposed developments represent an efficient use of land, resources, and both existing and planned infrastructure.

The proposed developments will contribute to social well-being and economic prosperity by introducing new, transit-supportive housing options and employment opportunities in one of the fastest-growing areas of Toronto. The sites' integration with a future subway stop and proximity to existing surface transit connections will encourage the uptake of public transportation and help decrease reliance on private automobiles.

The proposed developments are intended to respond to identified heritage resources. The heritage mitigation strategy is subject to a separate review process with the City.

5.1.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) as amended

The Growth Plan for the Greater Golden Horseshoe, 2020 (“the Growth Plan”) is the Ontario government’s plan for growth and development within the Greater Golden Horseshoe. The Growth Plan is intended to support economic

prosperity, protect the environment, and help communities achieve a high quality of life. Building on the foundation of the PPS, the Growth Plan provides specific policy direction for the Greater Golden Horseshoe.

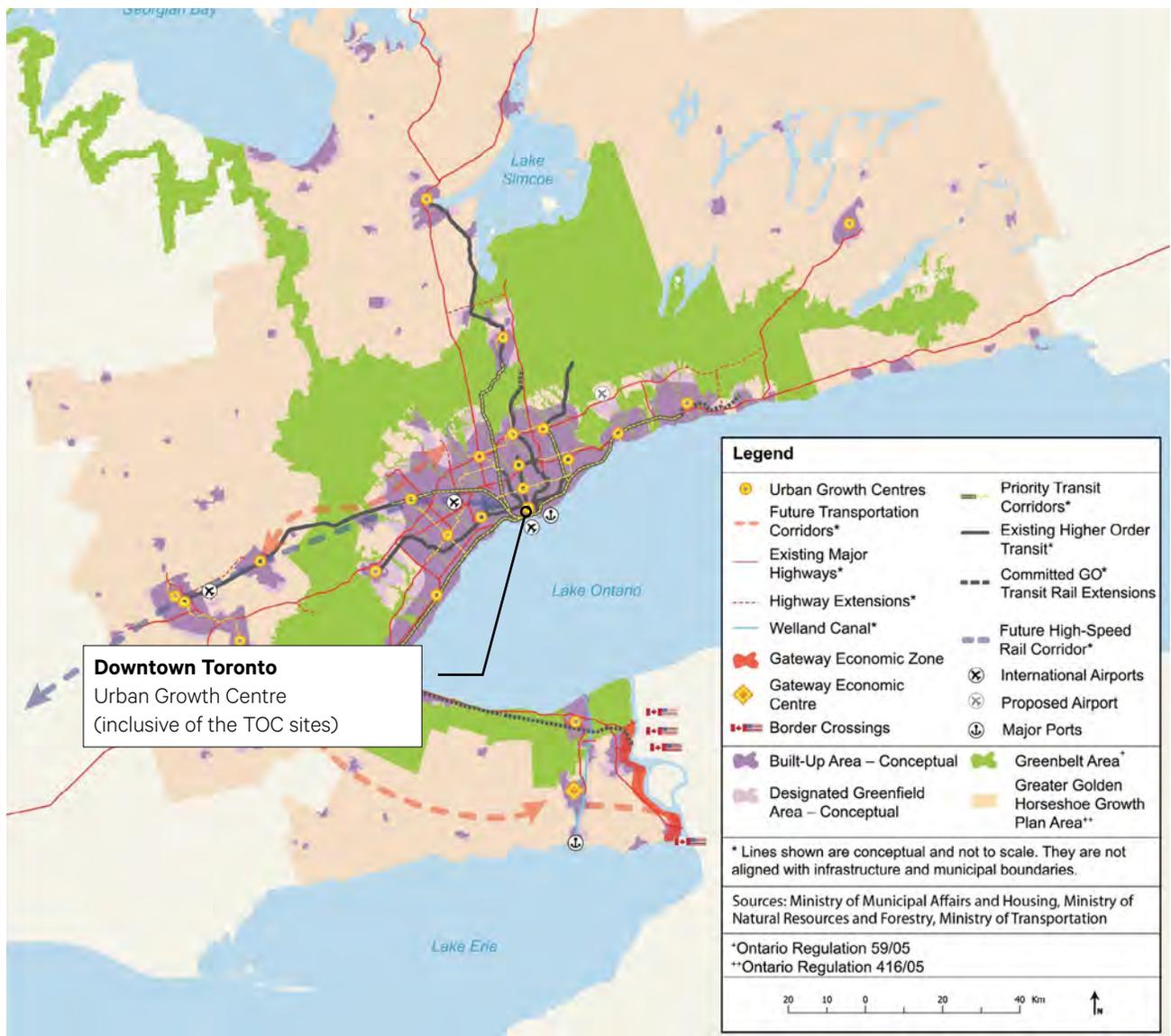


Figure 46: Growth Plan 2019 Schedule 2

Under Section 3(5) of the Planning Act (1990), all decisions on planning matters are required to conform to the Growth Plan. The most recent update to the Growth Plan came into effect in August of 2020. At a high-level, the Growth Plan emphasizes: the creation of complete communities which support healthy and active living; the promotion of transit supportive intensification and the efficient use of land and infrastructure; protection of the natural environment and climate change resilience; a strong and vibrant economy; and, the need to provide a full range of housing options. The plan prioritizes intensification within built up (established) areas, specifically to Strategic Growth Areas, areas targeted for reinvestment by the Province and Municipalities, and which include Urban Growth Centres and Major Transit Station Areas. The Corktown sites are in both the Downtown & Central Waterfront Urban Growth Centre and an MTSA.

“More than anything, the Greater Golden Horseshoe (GGH) will continue to be a great place to live, work and play. Its communities will be supported by a strong economy and an approach that puts people first. This approach protects the Greenbelt and will ensure a cleaner environment is passed on to future generations. A Place to Grow will support the achievement of complete communities with access to transit networks, protected employment zones and an increase in the amount and variety of housing available.”

- 2020 Growth Plan Vision Statement

Section 2 of the Growth Plan outlines the process for coordinating the planning and management of growth. To facilitate this process, minimum growth forecasts to a planning horizon of 2051 are established for each municipality via Proposed Amendment 1 to Growth Plan (brought into effect on August 28, 2020). In the projected growth scenario, it is expected that the City of Toronto will need to accommodate 3,651,000 people and 1,979,00 jobs over this time frame.

To manage this forecasted growth, the Growth Plan directs municipalities to promote a compact built form that makes efficient use of land and infrastructure (2.2.1.3.c). Intensification and growth within municipalities is intended to support the achievement of complete communities that:

- Feature a diverse mix of land uses (2.2.2.4.a)
- Improve social equity and overall quality of life (2.2.2.4.b)
- Provide a range and mix of housing options (2.2.2.4.c)
- Mitigate and adapt to climate change and contribute to environmental sustainability (2.2.2.4.f)
- Contribute to a vibrant public realm (2.2.2.4.e)

The Growth Plan further specifies that development in built up areas should expand convenient access to transportation options, public service facilities, open space and recreation facilities, and healthy, local, and affordable food options (2.2.2.4.d).

As mentioned, the Growth Plan directs the majority of growth to built up areas with a particular focus on identified Strategic Growth Areas, including Urban Growth Areas and Major Transit Station areas (2.2.1.2.c). Urban Growth Centres in the City of Toronto, such as the Downtown and Central Waterfront area, are planned to accommodate the most significant population and employment growth of any other Strategic Growth Area in the Greater Golden Horseshoe. A minimum gross density target of 400 combined residents and jobs per hectare is required to be achieved for Downtown Toronto by 2031 or earlier. (2.2.2.3.d). Estimates from the City suggest that the density of Downtown Toronto was 388 people and jobs per hectare and was anticipated to exceed the minimum density target by 2021 based on current trends. Despite the fact that these trends will be impacted by the COVID-19 pandemic, the City continues to anticipate that this target will be exceeded well before 2031.

With the introduction of higher-order transit, the TOC sites will fall directly within a new Major Transit Station Area (“MTSA”). The Growth Plan is supportive of further growth and intensification within all MTSA’s to achieve transit-supportive densities (2.2.1.2.c.i, 2.2.2.4.2, 2.2.2.4.8). As an MTSA on a subway, the lands around the station will be subject to 200 people and jobs per hectare (2.2.4.1). However, Strategic Growth Areas are not intended to accommodate a uniform level of intensification; policy 2.2.2.3(b) requires intensification areas to be planned to achieve an appropriate type and scale of development and

implement transitions to adjacent areas. Policy 2.2.4.9 provides direction that MTSA’s should be planned for a diverse mix of uses, including additional residential units and affordable housing, while prohibiting development that would adversely affect the achievement of transit-supportive densities. This policy further stipulates that development will be supported through collaboration between public and private sectors, and encourages municipalities to promote transit supportive growth by providing alternative development standards such as reduced parking rates. Additionally the Growth Plan supports multimodal transit connectivity in MTSA’s, with a particular focus on the provision of infrastructure for active transportation, such as comfortable and safe sidewalks, bicycle lanes, multi-use paths and secure bicycle parking (2.2.2.4.8.b).

Section 2.2.6 of the Growth Plan includes direction regarding housing and complete communities. Municipalities, such as the City of Toronto, are to support housing choice and intensification through the provision of a diverse range of housing types, tenures and densities, including the establishment of targets for both affordable rental and ownership housing (2.2.6.1). To foster complete communities, policy 2.2.6.3 stipulates that multi-unit residential development incorporate a mix of unit sizes so as to provide for a range of household compositions and income levels. Municipalities are instructed to support the development of complete communities by planning to accommodate forecasted growth projections and intensification

targets, with due consideration for the existing range of available housing options, and with the intention of diversifying the overall housing stock across the municipality (2.2.6.2).

The Growth Plan also includes policy related to the management and protection of natural and cultural assets in the region, as well as strategies intended to create a culture of conversation, awareness and climate change adaptation. Specifically, policy 4.2.10.1 directs municipalities to identify actions that reduce greenhouse gas emissions, including supporting complete communities and meeting minimum intensification targets as identified in Section 2. Further, the Growth Plan stipulates that cultural assets should be protected in order to foster a sense of place and benefit communities, particularly in Strategic Growth Areas (4.2.7).

The proposed developments conform to the Growth Plan in that these developments promote transit-supportive density within an Urban Growth Area and Major Transit Station Area and present new opportunities to support the housing needs of a rapidly growing area. These developments are consistent with the intent of the Growth Plan to foster complete communities, encourage active living, and efficiently manage growth for a prosperous and sustainable future in the region. These developments support intensification within Toronto's built-up area, accommodating new residential uses and employment opportunities on the site through the introduction of approximately 422 new residential units and 1,315 sq.m. of non-residential GFA.

5.1.4 2041 Regional Transportation Plan for the Greater Toronto and Hamilton Area (2018)

The 2041 Regional Transportation Plan (“the Transportation Plan”) was adopted on March 8, 2018 as a successor to The Big Move (2008), the first long-range transportation plan for the Greater Toronto and Hamilton Area (GTHA). The Transportation Plan supports the objectives and principles of the Growth Plan by setting out a blueprint for an integrated, multi-modal transportation system to manage growth, establish complete communities, and deliver sustainable transportation choices. The Transportation Plan establishes the vision for the regional transportation system to 2041, and guides the implementation of approximately \$30 billion of investment over the next 8 years.

The Transportation Plan’s vision for 2041 states:

“The GTHA will have a sustainable transportation system that is aligned with land use, and supports healthy and complete communities. The system will provide safe, convenient and reliable connections, and support a high quality of life, a prosperous and competitive economy, and a protected environment.”

The Transportation Plan identifies the Relief Line Subway, a precursor to the Ontario Line, which was similarly envisioned to provide an alternative to the TTC Line 1, as a key rapid transit project

that will help meet the transportation needs of the region. A central pillar of the implementation strategy of the Transportation Plan is the need to integrate transportation and land use (Strategy 4). The Transportation Plan calls for enhanced integration of transit infrastructure with urban development, noting that the inclusion of commercial, residential and office uses is an “essential approach” to station development or redevelopment, and that greater consideration of development objectives is required in transit project planning and procurement.

Additionally, the Transportation Plan underscores the need to have sufficient land use density at stations in order to ensure significant transit ridership. It recognizes that Major Transit Station Areas should be attractive locations for new employment, public institutions and regionally significant services, as well as prime opportunities for collaboration by public and private sectors to create transit-oriented developments that enhance transit service. The Transportation Plan advocates for the creation of a system of connected Mobility Hubs, which are Major Transit Station Areas at key intersection points on the Frequent Rapid Transit Network. They are positioned as connection points that integrate various modes of existing and planned transportation and can accommodate a concentration of mixed uses with elevated development potential.

Finally, the Transportation Plan acknowledges the importance of integrating land use and community design in order to create transit supportive communities, and opportunities

for collaboration between public and private sectors. The plan includes a number of actions to significantly increase walking and cycling trips through a focus on achieving a safe, accessible and pedestrian-friendly public realm.

The proposed developments support the objectives of the Transportation Plan. The proposed developments enable greater transit-supportive densities at a planned transit station and future Mobility Hub. The introduction of more people and jobs in a diverse, mixed-use area will support increased ridership volumes.

The proposed developments will support opportunities to live, work, shop and play within the already successful and attractive King-Spadina area. Furthermore, the proposed developments will include connections with existing surface transit and other active transportation options, including existing bus and streetcar stops. The TOC program reinforces the Transportation Plan’s direction to consider development objectives in transit project planning and procurement processes; the TOC delivery model leverages partnerships between the public and private sector to capitalize on key sites and/or station areas with elevated development potential.

5.2 Municipal Policy

5.2.1 City of Toronto Official Plan (2019)

The City of Toronto Official Plan (the “Official Plan”) is the broad policy document for Toronto which provides a framework for the City’s growth and redevelopment. Originally adopted by Council in 2006 and approved at the OMB in 2009, the current iteration of the Official Plan reflects a consolidation of amendments and policies in effect as of February 2019.

Under the Official Plan, the sites are located within the *Downtown and Central Waterfront*, with a land use designation of *Regeneration Area*. This land use designation has since been amended through the *Downtown Secondary Plan (2019)* and *King-Spadina Secondary Plan (2020)*, where the sites are designated *Mixed Use Areas 2 – Intermediate*. The sites are also within the boundaries of the *King-Spadina Heritage Conservation District (under appeal)*. Further details regarding applicable policies as they pertain to these designations are provided in subsequent sub-sections.

The Official Plan is undergoing a *Municipal Comprehensive Review (MCR)*, which will see the growth forecasts updated to be consistent with the new *Growth Plan* and will introduce a new suite of land use redesignations and policies to support these forecasts, including *Employment Area conversion*. More information on the MCR follows the discussion of the Official Plan policies (Section 5.3). The following is a summary of relevant sections of the Official Plan and how the proposed developments respond to each section’s intent.



Figure 47: Official Plan Map 2 - Urban Structure

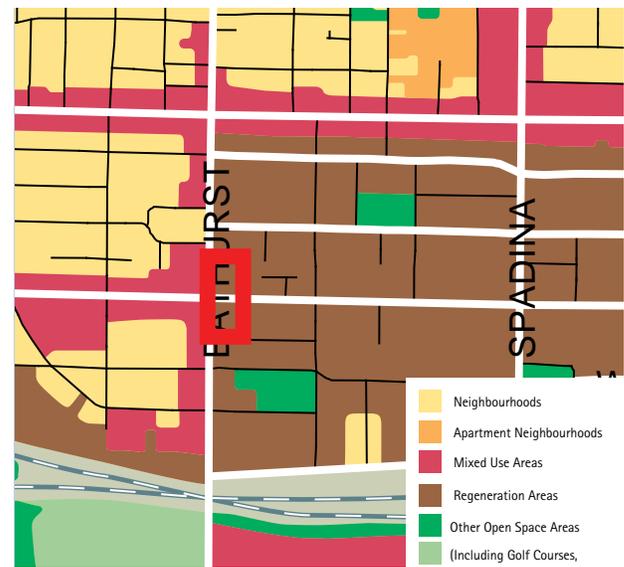


Figure 48: Official Plan Map 18 - Land Use

CHAPTER 2: SHAPING THE CITY

Building a More Livable Region

The Official Plan emphasizes the interconnected regional processes and conditions that affect the overall growth, prosperity and livability of the City of Toronto, including the broader regional economy, transportation system, and natural ecosystems.

The Official Plan recognizes that a coordinated approach across the GTA is required in order to accommodate expected growth and directs the City to work with regional partners and the Province to work together to address mutual challenges.

As a mixed-use, transit-oriented project, the proposed development supports the achievement of stated objectives in Section 2.1.1, including: focusing urban growth into a compact form directly integrated with a new station in

the transit network (2.1.1.a); making better use of existing urban infrastructure and services (2.1.1.b); reducing auto dependency and improving air quality (2.1.1.d); improving the regional economy (2.1.1.j); and increasing the supply of housing in mixed use environments (2.1.1.g).

Structuring Growth in the City: Integrating Land Use and Transportation

Establishing a crucial link between land use and transportation planning, the Official Plan directs the growth of people and jobs to areas that are supported by public transit and infrastructure (2.2.1). These areas are depicted on Map 2 of the Official Plan, which includes the *Downtown and Central Waterfront, Centres, Avenues* and *Employment Areas*. Growth in these areas is intended to:

- use municipal land, infrastructure and services efficiently (2.2.2.a);
- concentrate jobs and people in areas well

served by surface transit and rapid transit stations (2.2.2.b);

- promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips (2.2.2.d);
- offer opportunities for people of all means to be affordably housed (2.2.2.e);
- facilitate social interaction, public safety and cultural and economic activity (2.2.2.f);
- improve air quality, energy efficiency and reduce greenhouse gas emissions (2.2.2.g); and
- protect neighbourhoods and green spaces from the effects of nearby development (2.2.2.h)

Furthermore, the Official Plan protects for the integrity and future expansion of the City's transportation network through the designation of planned public right-of-way widths, higher order transit corridors, and the surface transit priority network (Maps 3, 4 & 5).

New development on lands adjacent to existing or planned transportation corridors and facilities is required to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors (2.2.4).

Together, the coordination of land use and transportation planning objectives will enable the achievement of municipal growth objectives and increase accessibility and mobility throughout the City (2.2.1).

The proposed developments are located within the Downtown and Central Waterfront at the confluence of several existing surface transit routes. By combining mixed use intensification with a new, higher order transit station, the proposed development will increase the availability of housing and employment opportunities into a dense, walkable, and transit supportive area in the city's Downtown, thereby supporting a greater uptake of transit use and active transportation.

Both King Street West and Bathurst Street are identified as Surface Transit Priority Segments (Map 5), with active existing surface transit routes operating along both streets. King Street West at this location has a planned right-of-width of 23m, while Bathurst Street is planned to be 30m.

Downtown: The Heart of Toronto

The Official Plan characterizes the Downtown as the driving engine and ‘heart’ of the City, and recognizes the significance of the Downtown in the overall growth, well-being and prosperity of Toronto. It notes that the Downtown is “Toronto’s image to the world and to itself”, representing the “oldest, densest, and most complex part of the urban landscape, with a rich variety of building forms and activities”.

The Downtown policies implement the Growth Plan’s policy intent and target for the corresponding Urban Growth Centre. Development in the downtown is expected to achieve a minimum combined gross density target of 400 jobs and residents per hectare (2.2.1.1.a) and contribute to the role of the Downtown as the premier employment centre in the GTA (2.2.1.1.b). To ensure that the City’s downtown remains vibrant and lively new development will contribute to a full range of housing types and tenures. By ensuring a variety of housing options people can both live and work in the highly connected communities in the Downtown, reducing demand for in-bound commuting and relieving pressure on the overall transportation network (2.2.1.1.c).

Policy 2.2.1.4 states that this full breadth of housing options will be encouraged through residential intensification in *Mixed Use Areas* in the Downtown (2.2.1.4.a), among other measures. Continued investment into the Downtown public realm, including improvement of linkages between streets, parks, accessible open spaces, is also encouraged (2.2.1.2.a).

The proposed developments will complement the existing urban fabric of the King-Spadina area while at the same time supporting employment and residential growth within a compact, transit-connected centre. By creating opportunities to bring housing and transit options near the employment opportunities of the Downtown core, the proposed developments will help cut down on the need for lengthy commutes between work and home, and allow people to live and work within the local area. Both sites will incorporate a proportion of family-sized units and affordable units to help meet the housing needs of a diverse population. The proposed developments will frame a high-quality public realm, further supporting a pedestrian-friendly streetscape in the Downtown.

Bringing the City Together: A Progressive Agenda of Transportation Change

Section 2.4 of the Official Plan expands upon the nexus between land use and transportation as covered in Section 2.2 and includes a full suite of policies encouraging increased uptake of sustainable transportation modes such as walking, cycling and public transit. It emphasizes efficient use of available infrastructure and reducing automobile dependency as Toronto moves towards “next generation” alternative transportation.

The Official Plan states that planning for new development will be undertaken in the context of reducing dependency on private vehicles and

the impacts of such new development assessed in terms of the broader social and environmental objectives (2.4.4). To promote increased transit ridership, subway and underground light rapid transit stations will be integrated with multi-storey developments wherever technically feasible (2.4.5). For sites in areas well serviced by transit, 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 (2.4.7). Additionally, the urban environment will encourage and support pedestrian movement for people of all ages and abilities through ensuring a convenient, direct and accessible network of pedestrian connections, particularly around transit stations and important community destinations (2.4.14.a).

The proposed developments support active transportation and the integration of pedestrian and cycling infrastructure within the site and its surroundings, conforming to policies as laid out in the Official Plan. The proposed developments will be structurally integrated with the new King-Bathurst Station on the Ontario Line in close proximity to existing surface routes, including the 511 Bathurst and 504 King (now operating on a priority route), dedicated cycling routes and within a walkable street and block network.

Due to below-grade subway infrastructure the proposed developments do not include dedicated parking for private vehicles, instead they prioritize secure long-term bike storage, thereby reducing car dependency and promoting mobility via transit and active transportation.

CHAPTER 3: BUILDING A SUCCESSFUL CITY

Chapter 3 of the Official Plan contains policies aimed at improving quality of life in the City of Toronto with a focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods. Broadly speaking, these policies are intended to promote a more beautiful environment, healthy and vibrant communities and greater prosperity in the community.

All development applications are to be evaluated against the policies and criteria in this Chapter. The preamble text to this Chapter notes the importance of conducting this evaluation in an integrated fashion, carefully balancing social, economic and environmental needs and priorities, which may result in the prioritization of certain elements of a development application over others.

As discussed in the following sub-sections, the proposed development has been shaped by the overall objectives of this chapter and in consideration of the policies contained therein.

Public Realm

The public realm section of the Official Plan has been recently updated through Official Plan Amendment 479 – Public Realm (“OPA 479”), part of the City’s Five Year Official Plan Review conducted in 2011 and adopted by Council in December 2019. Although not included in the February 2019 consolidation of the City of Toronto Official Plan, these policies were approved by the Province on September 11, 2020 and are therefore in full force and effect.

The overarching objective of these updates is to strengthen and clarify existing policies on public realm. The Plan, as amended, recognizes the contribution of the public realm to Toronto's cultural heritage and its fundamental role in defining urban form and character. To that end, the public realm policies contained in this section provide guidance on the roles and relationships between elements of the public realm, understood as all spaces to which the public has access (3.1.1.1). The general direction contained in this section is that public realm will:

- provide the organizing framework and setting for development;
- foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities;
- support active transportation and public transit use;
- provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction;
- contribute to the identity and physical character of the City and its neighbourhoods;
- be functional and fit within a larger network;
- provide opportunities for passive and active recreation; and
- contribute to the City's climate resilience (3.1.1.2).

To that end, the City intends to work in collaboration with its partners to “expand and enhance the public realm to support future and existing populations, contribute to a high quality of life of all ages and abilities, and anticipate growth and changing needs” (3.1.1.3). Consultation, partnership and collaboration with Indigenous communities is also explicitly encouraged in the planning and design of public realm elements (3.1.1.4). As a whole, the Plan calls for a quality design and construction to be implemented for projects in the public realm (3.1.1.6).

Specific areas of design and construction that this section addresses include:

- City streets that, following a Complete streets approach, balance the safe use of streets by all modes of transit, with streetscape elements and landscaping that promote their function and use (3.1.1.6);
- Connections through sites, whether public or privately owned, that expand the public realm and are designed for users of all ages and abilities (3.1.1.12);
- Sidewalks, boulevards and other pathways that are safe, attractive, interesting and comfortable secure for pedestrians and users of all ages and abilities (3.1.1.13-14);
- The preservation of healthy trees as a priority for all development (3.1.1.16);
- Parks and publicly accessible open spaces, including POPS, schoolyards, that prominent, visible, functional and accessible (3.1.1.19-20);

- Preservation of views and scenic routes (3.1.1.22-25); and,
- Public buildings that are situated on prominent, visible and accessible sites, including at street intersections, sites that end a street view and/or those that face an important natural / cultural feature (3.1.1.26).

The proposed developments have been designed with consideration of the Plan's public realm objectives and policies. Specifically, the proposed developments provide for enhanced streetscape improvements that will encourage a range of public-facing uses and activities, contributing to a safe, welcoming and vibrant public realm that supports a variety of uses and users throughout the day. Given that the proposed developments will house a prominent public and civic landmark in the form of a new transit station, strong emphasis has been placed on locating and designing the station entrances to promote their civic status.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Built Form

The Official Plan's section on built form has also recently been updated through Official Plan Amendment 480 – Built Form (“OPA 480”). OPA 480 was adopted and approved alongside OPA 479 and so is in full force and effect. This section, as amended, places renewed emphasis on ensuring that new development enhances livability and

quality of life, expands the public realm, contributes to the overall quality of urban design in the city and, fits into, reinforces and strengthens the many diverse contexts and characters in Toronto.

The preamble notes that it is important that new development “be conceived not only in terms of the individual building site and program, but also in terms of how the site, buildings, and facades fit within the existing and planned context of the neighbourhood.” The Official Plan notes that the existing context refers to what exists now while, in growth areas such as the Downtown, the planned context generally anticipates change.

Building on these clarifications, new development is to be located and designed to fit with its existing and planned context. This is generally achieved by framing and supporting adjacent streets, parks and open spaces to improve safety, pedestrian interest and casual views (3.1.2.1). Performance criteria outlined in this policy stipulates that:

- buildings should be located to be parallel to streets and the edges of parks/open spaces, and buildings that are located on corners and the ends of street corridors should give prominence to these spaces by ensuring appropriate frontages (3.1.2.1.a);
- providing additional setbacks or open spaces at significant locations (3.1.2.1.b);
- building entrances should be located on prominent building facades so that they front onto a public street, park or open space, are clearly visible and directly accessible from the public sidewalk (3.1.2.1.c);

- ground floor uses, clear windows and entrances should have views and access to adjacent streets, parks and open spaces wherever possible (3.1.2.1.d);
- mature trees should be preserved and incorporated into the development wherever possible (3.1.2.1.e); and,
- provide comfortable wind conditions and air circulation at the street and adjacent open spaces (3.1.2.1.f).

Further direction on new development stipulates that accessible open space will be provided where appropriate (3.1.2.2) and protect privacy by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows (3.1.2.3).

Generally, vehicle parking, vehicle access, service areas, and utilities should be consolidated in locations that minimize surface parking and other impacts on the property as well as improving the safety and attractiveness of adjacent streets, parks and open space (3.1.2.4).

Development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with character, and ensure access to direct sunlight and daylight through streetwall heights, setbacks and stepbacks (3.1.2.5).

Policies related to transition require that development provide good transition in scale within the development site and “between areas of different building heights and/or intensity of use in consideration of both the existing and planned

contexts of neighbouring properties and the public realm” (3.1.2.6-7). Where development includes or is adjacent to a park or open space, the building(s) will provide good transition in scale to provide direct sunlight and daylight to these spaces (3.1.2.8).

Development should generally improve the public realm and promote civic life through building design, providing amenity for pedestrians in the public realm and incorporating high-quality façade design that contributes to pedestrian scale, responds to context and ensures grade relationships to and from the public realm (3.1.2.9-10). In addition, residents of new multi-unit residential buildings must have access to both indoor and outdoor amenity spaces, with a focus on outdoor spaces such as balconies, terraces, courtyards and rooftop gardens, while non-residential buildings are encouraged to include indoor and exterior amenity space (3.1.2.11-13).

The buildings within the proposed developments are massed to define the street edge along King, Bathurst and Stewart Streets in appropriate proportion to the street. All public entrances are located in prominent and highly-visible locations accessible from the public right-of-way. Vehicle servicing areas are consolidated off major streets in an effort to reduce vehicular access points and minimize potential conflicts with pedestrians. The proposed developments create appropriate transitions in scale through the use of stepbacks of tall building elements from adjacent properties and street facing frontages. It also focuses on providing functional, comfortable and enjoyable indoor and outdoor amenity spaces, including the provision of private terraces.

Building Forms: Mid-Rise and Tall Buildings

Some of the most significant additions contained in OPA 480 include the further elaboration of building types in section 3.1.3 to include Townhouses/Low-Rise Apartments and Mid-Rise Buildings and to clarify policy on Tall Buildings.

New and modified policies reaffirm the distinction between mid-rise and tall buildings as generally defined by the width of the right-of-way, with tall buildings representing those buildings with heights greater than this width and mid-rise buildings being those with heights no greater than the width of the corresponding right-of-way (3.1.3.4.a, 3.1.3.5 & 3.1.3.7). These policies generally follow performance standards contained in city guidelines for each respective building type and broadly aim to advance the following objectives:

- Maintain and reinforce good street proportion and pedestrian scale;
- Allow for daylight and open views of the sky;
- Limit shadow impacts on the public realm and surrounding properties;
- Provide for appropriate facing and separation distances to ensure privacy; and
- Reduce the physical and visual impacts onto the public realm

The Official Plan notes that mid-rise buildings are a transit-supportive form of development that provides a level of intensification between low-rise and tall building forms. These buildings are identified as providing a good transition in scale that has predictable impacts on adjacent low-scale uses. Tall buildings, by comparison, are desirable in the right locations and can function as important city landmarks but come with a greater potential impact on adjacent streets, parks and neighbourhoods. Accordingly, additional built form principles are provided to ensure that these buildings fit in their existing and/or planned context and limit local impacts.

Policies 3.1.3.8-12 instruct that tall buildings should be designed to consist of three parts that seamlessly integrate into a unified whole. These parts are:

- base building – designed to provide definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses;
- middle (shaft) – designed to provide a floorplate configuration and size that is appropriately dimensioned for the site; and,
- top – designed to contribute to the skyline character and integrate roof top mechanical systems into the design.

Policy 3.1.3.11 describes key design considerations specific to tall buildings intended to achieve the successful definition of these components, including:

- stepping back the tower from the base building;
- generally aligning the tower with, and parallel to, the street;
- limiting and shaping the size of tower floorplates above base buildings;
- providing appropriate separation distances from side and rear lot lines as well as other towers; and,
- locating and shaping balconies to limit shadow impacts.

The proposed developments have been designed with consideration for the intent of both Mid-rise and Tall Building Guidelines, particularly in terms of maintaining and reinforcing street proportion and pedestrian scale and protecting and ensuring privacy, sunlight and skyviews through the use of setbacks.

The proposed developments have been designed in consideration of the Official Plan's built form policies related to tall buildings, particularly in the massing of clearly defined base, middle and top components that provide for a more varied and less visually overbearing appearance.

Taller building elements are sculpted by setbacks from the base building to minimize shadow impacts and maintain adequate access to sunlight and sky views. For the North Site, an

average floorplate of approximately 700 sq.m. above the base building (level 4) is oriented parallel to King Street West. For the South Site, a larger floorplate of approximately 1,093 sq.m. is provided up to level 17, responding to the existing context of tall buildings with larger floorplates, such as the Council-approved development at 64-86 Bathurst. Above level 17, a floorplate of approximately 700 sq.m. consistent with the intent of tall building guidelines is oriented parallel to Bathurst Street.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Heritage Conservation

Section 3.1.5 of the Official Plan underscores that growth and intensification must recognize and be balanced with the preservation and conservation of important heritage resources. Policies contained in this section are intended to ensure that significant cultural heritage values and attributes of heritage properties are conserved and enhanced through new development. To facilitate the identification and protection of heritage properties, the City maintains a Heritage Register of all listed and designated (Part IV and V) heritage properties and Heritage Conservation Districts (3.1.5.1 & 2).

The proposed developments are located on contributing properties within the boundaries of the King-Spadina Heritage Conservation District (under appeal).

Any alterations, development and/or public works on or adjacent to properties on the Heritage Register is required to ensure that the integrity of the property's cultural heritage value and attributes will be conserved (3.1.5.5). Similarly, site alterations, development, municipal improvements and/or public works that are carried out within or adjacent to Heritage Conservation Districts are assessed to ensure that the integrity of the district is conserved (3.1.5.32). In both instances, a Heritage Impact Assessment is the identified mechanism by which the City will assess new development proposals (3.1.5.5, 3.1.5.22-26 & 3.1.5.32).

Policies 3.1.5.26-29 provides further direction regarding development on or adjacent to properties on the Heritage Register. These policies require new development to conserve cultural heritage values, attributes and character of the properties on the Heritage Register and mitigate visual and physical impacts. In addition, the Official Plan encourages the adaptive re-use of properties on the Heritage Register for new uses (3.1.5.26).

A heritage study assessing the potential impact of proposed developments on the application of the King-Spadina HCD (under appeal) will be provided to the City for review through a separate review process. Through the rezoning stage, the proposed developments have been designed with consideration for the objectives of the King-Spadina HCD Plan (under appeal) and broadly strive to respect the integrity of contributing properties and the district as a whole.

On both sites, the preferred approach is to maintain the defining attributes and three-dimensional integrity of contributing properties in their original location. On both sites, heritage buildings are intended to be incorporated into the base buildings of the proposed developments, enhancing the relationship of the contributing properties with the public realm. Above these bases, tall building elements are intended to mitigate visual and physical impacts on neighbouring contributing properties and the public realm.

Housing

The Official Plan emphasizes that the City's quality of life depends on the ability to provide adequate and affordable housing for everyone. Policy 3.2.1.1 requires that a full range of housing be provided across the City. The full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock. New housing supply that provides these housing options is encouraged through intensification and infill (3.2.1.2)

The Official Plan emphasizes the preservation of the existing stock of affordable rental

housing in the city as well as the production of new private sector rental housing supply. Section 3.2.1 requires that new development on sites containing six or more rental units either: keep existing rental housing that have affordable and mid-range rents within the new development (3.2.1.5); or, where new development results in the loss of six or more rental units, replace and maintain the exact number, size, and type of rental housing units with similar rents to those in effect at the time of the redevelopment application (3.2.1.6). These rents must be maintained for a period of at least 10 years increased annually by not more than the Provincial Rent Increase Guideline. In addition, the Official Plan requires an acceptable tenant relocation and assistance plan addressing, “the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship” (3.2.6.iii).

The proposed developments support these objectives by delivering approximately 422 new residential units through intensification and infill on two centrally located sites, helping to bolster the housing stock in a rapidly-growing area of the city.

While the current use of the North Site is understood to be exclusively office / commercial, the South Site is understood to contain 7 rental dwelling units based on the existing interim settlement between the current owner and the City. Under this settlement, the owner will be required to secure the rental tenure for the 7 rental replacement units for at least 20 years

and submit an acceptable tenant relocation and assistance plan for all eligible tenants through a Section 37 agreement. Provisions for rental unit replacement will need to be discussed with the City through the engagement process.

The proposed developments are also expected to increase the supply of affordable housing, contributing to the full range of housing options in this area of the city. Under emerging policy direction on inclusionary zoning, the proposed developments at King-Bathurst station would be subject to a minimum of 5-10% (dependent on tenure) of the total new residential gross floor area to be secured as affordable ownership housing or affordable rental housing, due to their location within a strong market area. Although the proposed regulations are not in force and may be subject to change, the proposed TOC developments at King-Bathurst Station will provide affordable housing. The exact amount or proportion of the total development to be secured as affordable housing will be determined through further discussion with the City and other stakeholder groups.

Parks and Open Space

Toronto's green space system, including parks and open spaces, the natural heritage system, and a variety of privately managed but publicly accessible spaces, is identified as a necessary element of city-building. The policies contained in Section 3.2.3 are primarily intended to ensure that this system is maintained, enhanced and expanded through a variety of measures and mechanisms (3.2.3.1).

In conjunction with built form policies contained in Section 3.1, new development adjacent to parks and open space is required to minimize impacts, including shadows, noise, traffic and wind (3.2.3.5). Additionally, residential developments are required to dedicate 5% of lands for parks while all other developments are required to dedicate 2% for this purpose.

The Official Plan allows for an alternative parkland dedication rate of 0.4 hectares per 300 units for residential developments and the residential portion of mixed-use developments subject to certain criteria and conditions. Where site conditions are not ideal for on-site parkland dedication and if the City deems it appropriate, cash-in-lieu or off-site replacement may be acceptable subject again to the satisfaction of certain criteria and conditions (3.2.3.5-9).

Due to the constrained conditions of the site, the entirety of the parkland dedication for the proposed developments will be provided as cash-in-lieu.

Toronto's Economic Health

Section 3.1.5 of the Official Plan provides policies regarding the City's economy. This section has been amended by OPA 231, the amendment implementing employment and economic healthy policy revisions borne during the previous (2011) Municipal Comprehensive Review. Some policies introduced through OPA 231 remain under appeal at LPAT and are therefore not in full force and effect however the majority of policies apply to any property save for those who filed an appeal to the amendment. New development is evaluated against the entirety of OPA 231's policies – both those in force and under appeal.

The new Economic Health policies place a strong emphasis on promoting transit-oriented employment growth (3.5.1.2a, 3.5.1.3.c, 3.5.1.6, 3.5.16). Policy 3.5.1.6 states: "New office development will be promoted in Mixed Use Areas and Regeneration Areas in the Downtown and Central Waterfront and Centres, and all other Mixed Use Areas, Regeneration Areas and Employment Areas within 500 metres of an existing or approved and funded subway, light rapid transit or GO station." The policy would also allow for Secondary Plans and Site and Area Specific Policies to establish minimum standards for commercial development.

OPA 231 also contains policies on cultural spaces and retail. Policy 3.5.2.6 states that the stock of non-residential floor space for cultural enterprises and employment in King-Spadina, King Parliament, Liberty Village, and Garrison Common North will be preserved and expanded.

Policy 3.5.3.3 stipulates that street-related retail with a fine-grain of entrances should be provided in the Downtown as well as streets adjacent to higher order transit.

Broadly speaking, policies of this section are supportive of transit-oriented office growth in the Downtown and within walking distance of existing and planned higher-order transit (3.5.1.2.a). The Official Plan also promotes a balanced growth of jobs and housing across the City in order to maintain complete communities, increase the proportion of travel by transit, walking and cycling, and reducing the need for long-distance commuting and road congestion (3.5.1.3).

The inclusion of both residential and office uses within the proposed developments will help support a balanced growth of jobs and housing, and reduce the need for long-distance commutes by providing opportunities to live and work within close proximity, and increasing the number of jobs accessible to Torontonians by transit.

On the North Site, the proposed development provides approximately 1,315 sq.m. of non-residential floor space for office use, which may be provided as residential, subject to structural constraints. The flexible and adaptable configurations encourage the renting of these spaces to small-scale enterprises, providing access to central employment locations for these companies.

CHAPTER 4: LAND USE DESIGNATIONS

In the February 2019 consolidation of the Official Plan, the proposed developments are within a designated Regeneration Area. Regeneration Areas are generally post-industrial districts that have transitioned out of productive urban use and have subsequently been identified as areas for targeted redevelopment and revitalization. The Official Plan notes that Regeneration Areas are unique from one another, with specific built form contexts, mix of uses, and distinct market opportunities. For this reason, the Official Plan states that development within Regeneration Areas will be guided through area-specific Secondary Plans, which will establish a context-sensitive development framework (4.7.2).

Subsequent to the release of the February 2019 consolidation of the Official Plan, City Council has adopted two Secondary Plans that have identified a new land use for the area around the sites, designating these as Mixed Use Areas.

In the Official Plan, Mixed Use Areas contain a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. They provide opportunities to live, work, shop and play in the same area, helping reduce automobile reliance and contributing to vibrant and walkable areas that meet the diverse needs of local residents.

The Official Plan states that Mixed Use Areas are expected to absorb a significant proportion

of the anticipated increase in retail, office and service employment in Toronto, as well as provide many new housing opportunities. Mixed Use Areas in the Downtown are expected to accommodate the greatest scale and intensity of future development. Among the Mixed Use Area policies, the Official Plan states that development in Mixed Use Areas will:

- create a balance of high quality commercial, residential, institutional and open space uses relative to the surrounding community's needs (4.5.2.a);
- provide new jobs and homes for Toronto's growing population (4.5.2.b);
- locate and mass new buildings to provide a transition between areas of different development intensity and scale and minimize shadow impacts (4.5.2.c, 4.5.2.d);
- provide an attractive, comfortable and safe pedestrian environment (4.5.2.f);
- ensure good access to community services and facilities; and
- take advantage of nearby transit services (4.5.2.h).

The proposed developments align with the intent of Official Plan policies regarding Mixed Use Areas. The proposed developments introduce new homes and employment opportunities into a vibrant, walkable and attractive area of the city, with easy access to multi-modal transportation

and existing community services and facilities. By proposing mixed-use developments containing transit, residential and office uses, the proposed developments encourage a balanced approach to growth. Each new building will provide for a transition between the varied built form contexts of the surrounding areas and minimize impacts on sensitive uses, adjacent properties and the public realm.

5.2.2 Downtown Secondary Plan (2019)

In 2016, the City of Toronto initiated TOCore, a large-scale planning study to prepare and implement a new vision for Toronto's Downtown over a 25-year horizon. Together with the Central Waterfront Secondary Plan, the Downtown Plan provides the district specific guidance for growth and change within the region's most populous and economically significant Urban Growth Centre. Along with a series of five infrastructure-related strategies, the Downtown Secondary Plan was developed as the guiding document to ensure the continued success of Toronto's cultural, civic, retail and economic heart and link anticipated growth to the provision of required infrastructure investments. The Downtown Plan was adopted by City Council in May 2018, and was forwarded to the Minister of Municipal Affairs and Housing for approval. It was approved, with Minister's modifications, on June 5, 2019. The intent of the Downtown Plan is to support and direct the growth of the Downtown area in a manner that makes efficient use of infrastructure, creates complete communities, improves resilience to climate change, and supports the continued prosperity and livability of the Downtown.

Goals

The goals of the Downtown Plan are summarized as:

- Supporting complete communities, through the provision of community service facilities

and parkland, public spaces for social interaction, a walkable built environment, and a range of housing options to ensure the health and well-being of residents, workers and visitors;

- Supporting connectivity, through the integration of land use planning and transportation planning, to ensure access to jobs and a high quality public realm and open space network;
- Supporting prosperity, through reinforcing the role of the downtown as the economic driver of the city, region, and Province;
- Supporting resilience, through increased uptake of green infrastructure and efforts to reduce greenhouse gas emissions; and
- Supporting responsibility, through strong partnerships between the public, private and non-profits sectors to implement comprehensive planning and coordinated development of sites

The proposed developments support the achievement of these goals. As a mixed-use, transit-oriented development, the proposed developments provide a concentration of new residential units, flexible commercial space and an enhanced public realm.

Directing Growth and Land Use & Economy

The Downtown Secondary Plan requires that development will support and contribute to the achievement of complete communities (5.1), with the growth specifically encouraged on lands designated as *Mixed Use Areas 1, 2 and 3*, as well as *Regeneration Areas* and *Institutional Areas* (4.1). Furthermore, the greatest density of development within the Downtown is directed to Mixed Use Areas in close proximity to existing or planned transit stations (4.1).

Although the highest density of development within Downtown is to be directed to Mixed Use Areas in close proximity to transit stations, the Plan speaks to a gradation in the intensity of development between those areas intended to accommodate the highest levels of growth (Mixed Use Areas 1 – Growth) and those that are expected to experience only modest levels of growth (Mixed Use Areas 4 – Local). Policy 6.20 in particular stipulates that, “building heights, massing and scale of development will be compatible between each of the four Mixed Use Areas, with the tallest buildings located in Mixed Use Areas 1 stepping down through Mixed Use Areas 2 and Mixed Use Areas 3 to low-scale buildings in Mixed Use Areas 4.”

The sites are located within *Mixed Use Areas 2 – Intermediate*, which speaks generally to transition in the scale of development and a response to site context. Generally, the existing character and planned context of *Mixed Use Areas 2* is to form an intermediate, transitional scale between the taller buildings anticipated on some sites in Mixed Use Areas 1 and the predominantly mid-

rise character anticipated in Mixed Use Areas 3.

Development in *Mixed Use Areas 2* will include building typologies that respond to the existing and planned character of those areas, including mid-rise and some tall buildings (6.25). The scale and massing of buildings will be compatible with the existing and planned context of the neighbourhood, including the prevailing heights, massing, scale, density and building type (6.26). Mixed Use Areas 2 is encouraged to provide for a diverse mix of uses, including retail, service, office, institutional and residential uses (6.27).

The Plan does allow that building heights, massing and scale consistent with the Mixed Use Areas 1 policies may be permitted within areas that are designated Mixed Use Areas 2—where such development is in proximity to an existing or planned rapid transit station—provided that the proposal demonstrates consideration of a contextually appropriate built form scale and type as well as the necessary infrastructure required to support the development (6.21). The Plan also states that not all sites can accommodate the maximum scale of development while supporting livability of the development and the neighbourhood. Policy 6.22 states that, “development is required to address specific site characteristics including lot width and depth, location on a block, on-site or adjacent heritage buildings, parks or open spaces, shadow impacts, and other sensitive adjacencies, potentially resulting in a lower-scale building.”

The Downtown Plan emphasizes the relationship between land use and transportation planning, and requires that all lands within a 500 to 800 metre radius of rapid transit stations are to be planned as transit-supportive and contain a diverse mix of uses of sufficient intensity in order to support existing and planned transit service levels (6.35). Development integrated into the transit station is specifically encouraged, in order to optimize investments in transit infrastructure (6.36). Development will be supported through collaboration between public and private sectors and the provision of alternative development standards where applicable (6.35).

Additionally, development integrated into the transit station is specifically encouraged, in order to optimize investments in transit infrastructure (6.36). Development will be supported through collaboration between public and private sectors and the provision of alternative development standards where applicable (6.35).

The proposed developments support mixed-use intensification on two sites within a designated Mixed Use Area in close proximity to planned transit. The proposed developments are structurally integrated with the planned King-Bathurst Station, optimizing investments in transit infrastructure, and will be supported through the TOC program, representing a collaboration between the public and private sector.

The proposed developments introduce a transit-supportive building form that nonetheless references the prevailing scale and massing of

the existing, planned and emerging context in proximity to the TOC sites. The building type, massing and scale of development addresses each site's unique characteristics, resulting in buildings at an intermediate height and scale of development that provide transition from the tall building context in Mixed Use Areas 1, located near the Financial District, towards the mid- to low-rise character outside the Downtown area.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Public Realm

The Downtown Secondary Plan emphasizes improvements to the public realm particularly along identified Great Streets, those with “citywide and civic importance with a diverse character that conveys Toronto’s public image to the world”. These streets are intended to be treated as destinations in and of themselves and are important in supporting public life, urban mobility and economic activity, especially where two Great Streets intersect (7.20).

Many of these are also identified as Priority Retail Streets, which play a fundamental role in ensuring the retail vitality of the Downtown. They are encouraged to provide generous at-grade floor-to-ceiling heights and increased setbacks to protect for active spill-over zones (6.38). The design of the public realm is encouraged to create functional, interesting and engaging spaces, which encourage public life and social interaction

through the inclusion of elements including seating, landscaping, active uses at grade, way-finding, public art and programming (7.35).

The proposed developments recognize and strive to enhance the essential function of King Street West as an identified Priority Retail and Great Street. The proposed developments provide for a sensitive level of intervention, respecting and reinforcing the existing streetscapes while introducing improvements along King Street and Bathurst Street to reflect their civic and city-wide importance.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Mobility

The policies of the Downtown Plan support a well-connected, integrated transportation system dedicated to improving mobility and accessibility for all, with additional priority given to sustainable travel modes such as walking, cycling and transit. Streets will be designed to assure a safe, comfortable, and walkable public realm. Pedestrian and public realm improvements which improve connectivity and circulation are to provide generous pedestrian clearways and new or improved linkages such as mid-block connections, walkways, paths and access points are encouraged (8.4.2).

Development is encouraged to support the existing and planned surface and rapid transit network. The Downtown Plan requires that connections between stations be designed to be seamless and user-friendly, with developments

in proximity to these stations required to provide direct access to the station (8.20, 8.21).

The proposed developments prioritize pedestrian circulation and connectivity between the Ontario Line and existing King and Bathurst streetcar services, providing safe and accessible access to transit for residents, visitors, and passengers.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Built Form

Section 9.0 of the Downtown Plan outlines built form policies for the Downtown, stating that development in this area will be shaped, scaled and designed to maintain and enhance livability while providing opportunities for contextually appropriate new development. Livability in this context is defined as a positive physical outcome of the built environment, supported by the principles of comfort, vibrancy, diversity, safety and beauty. To that end, the policies in this section are intended to ensure that development fits within the existing and planned context, provides appropriate transitions to adjacent and surrounding buildings and spaces, respects the scale and proportion of adjacent streets and contributes positively to its surroundings.

Generally, new development throughout the Downtown will

- Enhance the liveability of the building's surroundings and its interior spaces (9.1.1);
- 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 (9.1.2);
- Demonstrate design excellence of the building and surrounding public realm(9.1.3);
- Demonstrate a high standard of heritage conservation (9.1.4); and
- Include high-quality, durable materials and sustainable and resilient building practices (9.15).

New buildings are to be located and massed to frame the public realm with good street proportion; provide comfortable micro-climate conditions by limiting shadowing and adverse wind impacts; and transition appropriately to neighbouring properties and the public realm in order to protect access to sunlight, sky views and privacy (9.13-9.21).

Creating transitions between varying areas, buildings and scales is an important principle of the Official Plan and, this principle is reflected and reinforced through the Downtown Plan.

Policy 9.22 states that “development may be required to incorporate built form transitions where necessary to create a more livable

environment in the public realm while defining and distinguishing areas of different character, intensity and planned contexts.”

Transitions will generally be required to achieve built form compatibility when a new development is of a greater scale and intensity to the adjacent planned context, where the planned context does not anticipate tall buildings, where an adjacent property is identified on the City's Heritage register and/or if the development is adjacent to a park or open space (9.24). Policies 9.25 and 9.26 provide specific criteria for achieving compatibility for varying adjacencies in the existing and/or planned context through the incorporation of transitions, typically realized through the combination of a variety of design methods and geometric relationships (9.23).

It is important to note that the Downtown Plan clarifies that “although existing and approved buildings form part of the existing and planned context, the siting, massing, height and design of a building on one site will not necessarily be a precedent for development on an adjacent or nearby site” (9.11). Additionally, the Plan notes that, while tall buildings are generally permitted in all areas of the Downtown, depending on site constraints, they are prohibited within Neighbourhoods (9.12).

The proposed developments respond to the existing and planned built context by drawing on prevailing building forms and established height from the surrounding area to establish the massing and orientation of each building. The proposed developments consider appropriate transitions to adjacent and surrounding buildings and spaces, orienting the taller building elements

towards Bathurst Street. Stepbacks are provided where appropriate and feasible to create a more comfortable pedestrian experience, establish a human scale and maximize access to sunlight and sky view. A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

Community Services and Facilities

The Downtown Plan encourages new development to contribute to the delivery of community service facilities, either by accommodating these facilities on-site, contributing to a new, expanded or retrofitted facility off-site within the vicinity of the development; or through a direct contribution to a specific facility (10.2). These are directed to be located in highly-visible locations with strong active transportation connections for convenient access (10.4.1) and where appropriate co-located within mixed-use buildings (10.4.2).

Due to the constrained nature of the site, the proposed developments could make contributions towards new, expanded or retrofitted facilities off-site within the vicinity of the development.

Housing

Safe, stable, and affordable housing plays a critical role in creating complete communities by enabling a high quality of life, contributing to resident health and well-being, and strengthening social networks. The Downtown Plan also

recognizes the critical nature of providing adequate housing for the area's diverse population. To meet the needs of a growing number of families and larger households, the Downtown Plan establishes direction for a balanced mix of unit types and sizes, requiring new developments with over 80 units to contain a minimum of 15% 2-bedroom units, 10% 3-bedroom units, and an additional 15% of either 2- or 3-bedroom units or units that could be easily converted to larger-units at a later date (11.1).

The proposed developments respond to these challenges by including a range and mix of housing options, with up to 46% of the approximate 422 new residential units planned as larger sized units geared to families. The proposed developments are also expected to increase the supply of affordable housing in line with emerging inclusionary zoning policy, therefore contributing to the full range of housing options in this area of the city.

Culture

An important priority of the Downtown Plan is the promotion and expansion of the culture sector in the Downtown area. Across the Downtown, development is encouraged to retain and expand space for culture sector businesses, support the clustering and/ co-location of cultural and community spaces, and explore the adaptive re-use of heritage properties as culture spaces (12.1-12.3).

The proposed developments recognize the value of Toronto's cultural contributions to the local economy and quality of life. With the introduction of higher order transit service, the public will have increased access to these and other destinations in the King-Spadina area.

The proposed developments could also contribute to the promotion and expansion of the culture sector in an identified priority area, either through the dedication of floor space to cultural and community uses on-site or a contribution towards the location of these uses off-site

Energy and Resilience

The Downtown Plan lays out a framework for increasing resiliency and reducing greenhouse gas emissions. Within the Plan area, developments are encouraged to target near-zero emissions and explore measures to increase overall energy efficiency (13.4). Incorporating biodiversity principles into development is also encouraged (13.3)

The proposed developments are expected to meet the minimum Green Development Standards applicable at the time of development

5.2.3 King-Spadina Secondary Plan (Council Adopted, 2020)

The most recent King-Spadina Secondary Plan was adopted by City Council in January 2020 through By-Law 112-2020, to replace the 1996 King-Spadina Plan II. This update was subsequently appealed to the LPAT and therefore is not in full force and effect.

The original King-Spadina Plan II was brought into force with the intent of stimulating the revitalization of the area as a response to its de-industrialization. To date, the flexible and permissive nature of this plan has been successful in attracting and encouraging investment in new employment and residential projects in the area.

Given the continuing evolution of the area as a result of these policies, the King-Spadina Secondary Plan has undergone several reviews and updates since inception. An initial review of the Secondary Plan was conducted in 2005 focusing on the proliferation of nightclubs, the need for community facilities and services, and the development of policies regarding the public realm and built form. The recommendations of this review, including Official Plan (OPA 2) and Zoning By-law (922-2006) amendments, were adopted in 2006 but these remain under appeal and therefore not in force or effect. Subsequent reviews carried out since this time have addressed other discreet areas of the policy framework.

The most recent update to the Secondary Plan consolidates and refines the direction emerging from the various reviews and amendments. Specifically, the updated plan focuses on the effective and efficient management of growth to ensure that new development contributes to livability, is supported by both hard and community infrastructure, and responds to the strong heritage character of the area.

The in-force King-Spadina Secondary Plan (“the Secondary Plan”) area generally includes those lands bounded by Queen Street West, Front Street West, Bathurst Street, Simcoe Street and John Street (“the Plan Area”).

Overall, the Secondary Plan envisions the continued evolution of the Plan Area as a diverse, mixed-use neighbourhood, one that draws on a distinct heritage character and supports, “a large concentration of jobs in the culture sector, growing residential communities, historic and well-used parks, animated commercial main streets, and a lively arts scene” (2.1-2.2). To that end, the objectives of the King-Spadina Secondary Plan are:

- strengthening, supporting and enhancing the area’s important economic role and clustering of employment (3.1.1-3.1.2);
- conserving built heritage resources to enhance the area’s heritage character (3.1.3); and
- increasing the amenities—encompassing the full range of local retail and services uses, community services facilities, green infrastructure, public realm elements, and the public right-of-way and adjacent privately-owned lands.

Within these objectives, particular emphasis is placed on the retention of cultural sector employment in the Plan Area as well as the adaptive re-use of heritage properties for employment uses (3.1.1.2-3.1.1.3). In addition, the King-Spadina Secondary Plan has the stated objective of requiring development in the Plan Area to replace all existing non-residential gross floor area, such as office and culture sector employment uses, or provide a minimum 25% of total gross floor area for these non-residential uses, whichever is greater (3.1.2).

TOC developments at King-Bathurst balance many objectives and, as a result, the proposed developments cannot guarantee the delivery of non-residential GFA to the standard identified in the King-Spadina Secondary Plan update (2020; under appeal) through the rezoning stage, primarily due to the area requirement of the station on both sites. On the North Site, the current configuration of the ground floor allows for the location of two elevator cores (one for commercial uses, one for residential uses). Therefore, the proposed development strives to replace existing non-residential GFA at a 1-to-1 ratio within the base building, accommodating approximately 1,315 sq.m. of GFA for non-residential uses. Above the base, the size of the floorplate is limited to provide adequate separation distances to neighbouring properties.

As a result, the building is currently unable to accommodate a mixed-use program with additional non-residential GFA above the podium.

On the South Site, station requirements and the configuration of the ground floor do not allow space for two elevator cores and so the building is currently unable to support a mixed-use program of residential and non-residential uses.

On both sites, the proposed developments are encouraged to respond to this direction by prioritizing space for cultural, community, and/or employment uses on-site and/or through a contribution towards the expansion of these spaces off-site. The framework of a Community Benefits Charge is discussed further in Section 6.2.

The Secondary Plan reinforces that development will contribute to improving and expanding the public realm of the Plan Area, including parks and open space, laneways, mid-block connections, and streets (4.1). Policy 4.5 specifically identifies the network of public and private laneways as one of the defining characteristics of the public realm in the Plan Area. Laneways in the Plan Area are intended to serve a variety of purposes such as providing off-street connections for pedestrians and cyclists, access for servicing, space for outdoor gatherings and street animation and allowing for views to the side and rear elevations of buildings (4.6). In addition, King Street is identified as a Great Street, those streets with particular civic significance that are to be prioritized for public realm improvements (4.15).

The proposed developments provide streetscape improvements along all major frontages, with a particular focus on King Street West as an identified Great Street. A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

It should be noted current design of the King-Bathurst Station headhouse on the North Site will result in the partial, permanent closure of the existing laneway immediately to the north of the property. The eastern segment of this laneway will remain open to facilitate parking and loading access for both the North Site proposed development and the neighbouring property. The design requirements for the station itself are outside the scope of this rationale and will be provided through a the SPR process to be coordinated with the City.

The Secondary Plan recognizes that development in the Plan Area will be infill by nature and, as a result, will be required to be sensitive to context and King-Spadina's unique heritage character (2.3.1). Throughout the Plan Area, development is required to achieve a compatible relationship with the existing and planned built form (6.1). Given the varying and diverse built form contexts across King-Spadina, the Plan Area is further divided into three Precincts (6.7). The TOC sites are within the West Precinct of the Plan area and are designated Mixed-Use Area 2 - Intermediate.

The Secondary Plan provides specific direction related to the planned height and scale of new development in the Plan area. Generally, the

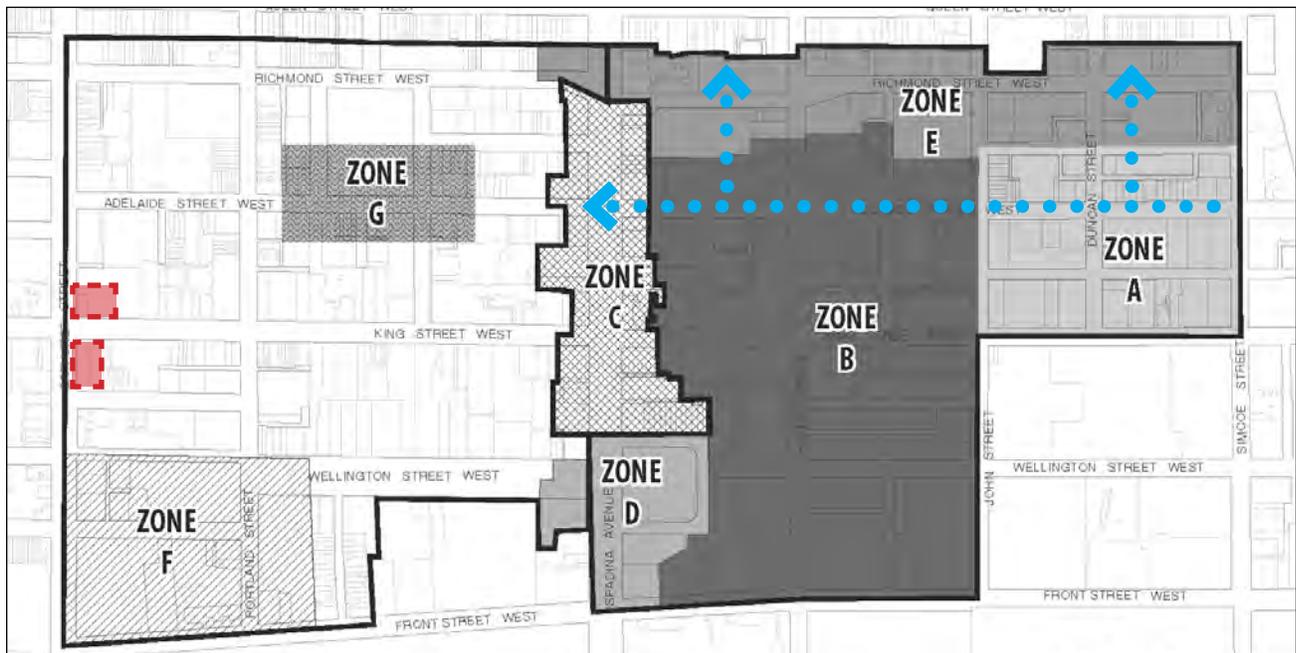


Figure 49: King-Spadina Secondary Plan - Height Transition Zones (Map 16-4)

- ● ● Identified Height Transitions
- TOC Sites

East Precinct is recognized as accommodating a diverse range of building types, including tall buildings, provided that the building heights of new development are subordinate to the building heights of the Financial District north of Front Street (6.8, 6.8.3).

The Secondary Plan generally requires a noticeable and discernible step down in heights across the district with the greatest heights located in the East Precinct adjacent to the Financial District (Zone A), transitioning downward through the East Precinct (Zone B) toward Spadina (Zone C) (6.6). This transition is consistent with principles at a city-wide scale that the greatest heights should be located near the core, transitioning downwards on sites further from the core.

By comparison, development in the West Precinct is intended to generally be of a significantly lower

scale than development in the East Precinct, with heights capped at 50.0m (inclusive of mechanical penthouse) (6.10).

Along Bathurst Street, development is permitted up to 55 meters in height, including the mechanical penthouse and all projections (6.12). The final staff report on the King-Spadina Secondary Plan (December 12, 2019) notes that greater heights are permitted along the east side of Bathurst Street in recognition of the tall building context at the edge of the precinct and the historic framework that permitted taller buildings fronting onto this street.

In keeping with the intent of transitions in the King-Spadina Secondary Plan area, the maximum height and density of the proposed developments are generally at a lower scale than development in the East Precinct, providing a noticeable transition down from the scale of buildings closer to the core.

At the same time, the proposed developments provide a suitable increase in height over the existing and planned height context, given the integration of the developments with the new subway station. Moreover, the proposed maximum height represents an appropriate height peak given the identification of Bathurst Street as a “height ridge” at the edge of the Precinct and the context of taller building forms along Bathurst.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report

The King-Spadina Secondary Plan speaks to the particular importance of providing separation distances that protect access to light, views and privacy for all new development in the West Precinct (6.13-6.14). Specifically, new buildings are to provide a minimum 5.5m stepback above the base building from any property line not adjacent to a street or public lane (6.14).

In addition, 3.0m stepbacks, free of any projections, are to be provided on all elevations facing public streets (6.3). Policy 6.3.3 states that a greater stepback may be required to conserve an existing heritage resource.

The proposed developments provide a minimum 5.5m stepback from all property lines not adjacent to a street or public lane with a single exception on the South Site. In this instance, a portion of the building provides no setback from the east property line in keeping with the massing approved through the existing settlement at LPAT between the owner of this property and the City of Toronto. The proposed developments provide a minimum 3.0m stepback on all elevations facing public streets. A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

In terms of implementation, the Plan requires a Heritage Impact Assessment for all development proposals in the King-Spadina Area (8.3). In addition, the Plan calls for appropriate performance standards to be identified through Urban Design Guidelines and a Public Realm Strategy, as adopted by Council (8.4).

Review of heritage impacts and mitigation strategies is subject to a separate review process with the City.

5.3 Other Municipal Policy/Regulatory Considerations

5.3.2 OPA 456 (Council Adopted; Under Review by Province)

Official Plan Amendment 456 – Transportation Policies (“OPA 456”) is also part of the City’s Five Year Official Plan Review under Section 26 of the Planning Act, generally intended to strengthen and clarify the City’s goals related to transportation. OPA 456 was adopted by City Council on February 26, 2020 and is currently being reviewed by the Province and therefore not in full force and effect.

The most significant addition to the Official Plan through OPA 456 is a new policy section on the public realm around higher-order transit (section not yet numbered – 3.1.X). The intent of this section is to ensure that public facing elements of transit—including station sites and related facilities and infrastructure—serve the dual purpose of encouraging efficient movement and transit uses as well as integrating with the local community in a manner that “provides a high-quality pedestrian experience, supports the envisioned context, facilitates the creation of complete communities and contributes to placemaking.” This section provides the general direction that transit infrastructure will be designed to:

- provide high-quality architecture, landscape architecture and urban design;
- function effectively, fit into the existing and planned context, and provide a high-quality transit user experience; and

- integrate into, enhance and extend the public realm, create civic destinations and facilitate the creation of complete communities.

The proposed developments are structurally integrated with the new King-Bathurst Station and therefore are designed to reinforce and promote the civic importance of this building through the provision of high-quality design, user experiences and a great public realm.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

5.3.3 OPA 352 (Council Adopted, Under Appeal)

Official Plan Amendment 352 (“OPA 352”) – Updating Tall Buildings Setbacks in the Downtown introduces a new site-specific policy (“SASP 517”) for the Downtown & Central Waterfront area regarding the design of tall buildings. OPA 352 was adopted by Council in October of 2016 alongside By-laws 1106-2016 and 1107-2016 (“the Zoning By-law Amendments”). OPA 352 and the Zoning By-law Amendments remain under appeal at LPAT.

SASP 517 defines a tall building as having a base building and a tower component (517 A.i.) and speaks to the importance of how “base building height for tall building development will respect and reinforce a pedestrian scale and the existing

and/ or planned street wall height context of the block in which the tall building proposal is situated” (517 A.ii and B.v-vi).

Policy 517.B stipulates that tall buildings are to provide setbacks from the lot lines to the tower portion of the building. The intent of this policy is to manage the effect of tall buildings to ensure that these fit into the existing and/or planned context and cumulatively contribute to complete communities. Additionally, the policy provides a number of performance measures to guide the amount of space between towers:

1. provide a high-quality, comfortable public realm;
2. consider development potential, where appropriate, of other sites within the block;
3. provide appropriate access to sunlight on surrounding streets, parks, open spaces, school yards, and other public or civic properties;
4. provide appropriate access to natural light and a reasonable level of privacy for occupants of tall buildings;
5. provide appropriate pedestrian-level views of the sky between towers as experienced from adjacent streets, parks and open spaces;
6. encourage a reasonable level of views between towers for occupants of tall buildings; and
7. limit the impacts of uncomfortable wind conditions on streets.

The design for each building has been developed in consideration of policy regarding the design of tall buildings through measures such as stepping back upper levels to mitigate the effect of the tall building components and to ensure that the development fits into the existing built form context.

A more detailed analysis and rationale for the design response of the proposed developments is provided in Section 4.0 of this report.

5.4 Municipal Study Considerations

Growth Plan Conformity, Municipal Comprehensive Review and Inclusionary Zoning

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) came into effect on May 16, 2019. In light of new policies, growth forecasts, and intensification strategies, the Ministry of Municipal Affairs and Housing set July 1, 2022 as the deadline for municipalities to ensure conformity with the Growth Plan by updating their Official Plans. This provincially legislated requirement is satisfied through a Growth Plan Conformity exercise and Municipal Comprehensive Review (MCR).

On June 29, 2020, Toronto City Council approved a work plan for the Growth Plan Conformity and MCR of the Toronto Official Plan; the study commenced on August 4, 2020 and is currently underway. This exercise presents an opportunity to address, through planning policy, a number of the growth-related challenges facing Toronto’s current and future health and prosperity, including consideration of growth forecasts, intensification targets, employment area conversion requests, environmental sustainability and climate change policy. Additionally, the 2019 Growth Plan allows municipalities to delineate Protected Major Transit Station Areas (PMTSAs), and to outline policies within the Official Plan governing their permitted land uses and minimum density targets.

The designation of PMTSAs is not only significant for determining where future development will be directed, but is also linked to the provision of affordable housing through inclusionary zoning (IZ). IZ is a Provincial planning tool which allows municipalities to mandate a minimum percentage of new development as affordable rental or ownership housing. The implementation of IZ policy is restricted to areas within a PMTSA or Development Permit System area, or as ordered by the Minister of Municipal Affairs and Housing.

On September 22, 2020, the City of Toronto’s Planning and Housing Committee began public consultation regarding the proposed draft amendments to the City’s official plan and zoning by-law, representing the City’s first foray into inclusionary zoning. Under the proposed amendments put forward by City staff, Toronto’s inaugural inclusionary zoning regime would generally require:

- A minimum 10% of total residential gross floor area (GFA) of a development to be provided as affordable housing if a condominium development is proposed in a strong market areas; or,
- A minimum 5% of total residential gross floor area of a development to be provided as affordable rental housing if a purpose-built rental development is proposed in a strong market area.

The Planning and Housing Committee has directed staff to continue consultations and seek further feedback on the proposed IZ policy, and has also directed staff to look into the feasibility of increasing the required proportion of affordable housing to as much of 30% of total residential GFA.

While the determination of the precise quantum of affordable housing to be provided will be subject to the outcomes of the City's ongoing study and consultations, there are constraints regarding the nature of developments to which IZ policies would apply. The requirement to incorporate affordable housing would be triggered based on the following:

- developments must be of a sufficient scale, containing at least 10 residential units or more;
- IZ policies would only apply to development within Protected Major Transit Station Areas (PMTSA) or development permit system areas; and,
- IZ policies will apply to development located within areas of the City identified as strong or moderate market areas.

It is anticipated that development projects already in the pipeline would not be subject to inclusionary zoning requirements, provided a complete rezoning, site plan, minor variance or building permit application has been filed before January 1, 2022. The preliminary draft amendments endorsed by Planning and Housing Committee form the basis of ongoing public consultation and City staff are expected to return to the Planning and Housing Committee with a final recommendation on the amendments in the first half of 2021.

The proposed developments at King-Bathurst Station are expected to include affordable housing. The exact amount or proportion of the total development to be secured as affordable housing will be determined through further discussion with the City and other stakeholder groups.

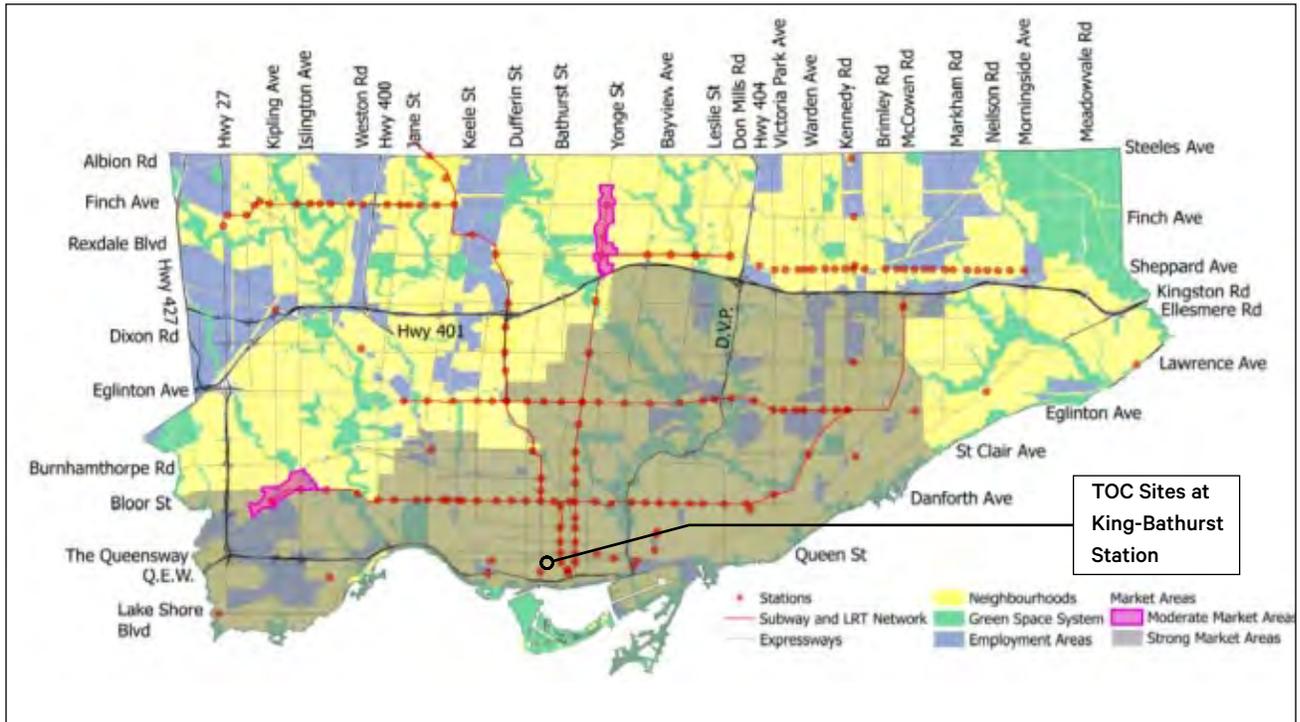


Figure 50: Draft Inclusionary Zoning OPA Map 37 - Strong and Moderate Market Areas



5.5 Municipal Zoning

The City of Toronto’s Zoning By-Laws regulate the height, density, permitted use, and setback requirements of new development, among other parameters. Zoning By-law 569-2013 (“ZBL 569-2013”), enacted in May 2013, is the City of Toronto’s comprehensive, city-wide zoning by-law. Certain provisions of this zoning by-law remain subject to appeals at the LPAT. However, despite being under appeal, ZBL 569-2013 is understood as the standard applied to all development applications filed after enactment.

Under ZBL 569-2013, the TOC sites are zoned “Commercial Residential Employment” [CRE (x1)], with a maximum permitted height of 26.0m plus an additional 5.0 meter height allowance for wrapped mechanical elements. The CRE zone permits a wide range of residential and non-residential uses, including apartment and mixed-use buildings as well as transportation uses and various types of manufacturing, office, retail, and service shops. No maximum density is specified. This zoning is within Policy Area 1 with regards to the provision of parking.

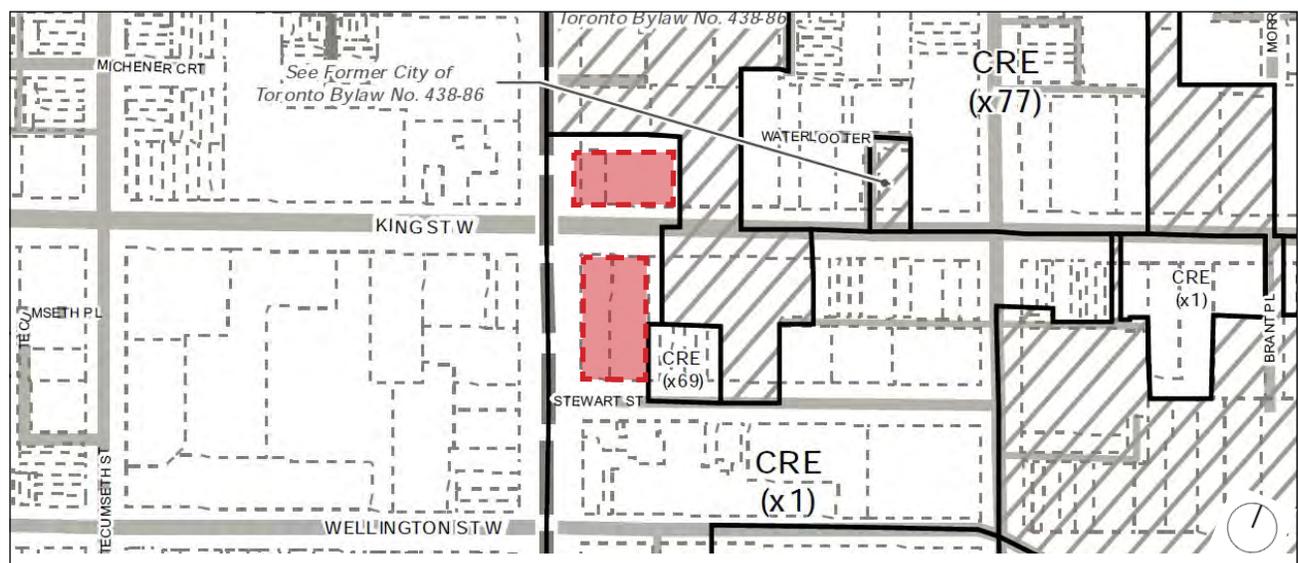


Figure 52: Zoning Map (ZBL 569-2013)

Site	Designation	Max. Height	Max. Density	Parking
North Site	ZBL 569-2013 Commercial Residential Zone (CRE(x1))	26m	N/A	143
South Site	ZBL 569-2013 Commercial Residential Zone (CRE(x1))	26m	N/A	194

Figure 51: Select Zoning Standards

The exception “x1” pertains to prevailing sections of the former City of Toronto By-law 438-86 that still apply for the TOC sites. The TOC sites are subject to restrictive exceptions under Sections 12(2) 260 and 12(2) 270 of By-law 438-86. Section 12(2) 260 establishes a maximum base building height of 22.0 meters for properties fronting onto Bathurst Street with an angular plan of 44 degrees applied above. Section 12(2) 270, which outlines specific limitations on the amount of non-residential gross floor area to what existed on a lot prior to July 20, 1993 plus an additional 1,800 meters, exempts retail and service in the King-Spadina area provided that certain built form requirements are met.

Additional standards and performance criteria for the CRE zone include:

- minimum building setback from a side lot line or rear lot line of 7.5 metres, excluding any part of the building or structure that is less than 25.0 metres from a lot line abutting a street or park;
- minimum building setback from a side lot line or rear lot line that abuts the lane is 7.5 metres measured from the original centreline of the lane, excluding any part of the building or structure that is less than 25.0 metres from a lot line abutting a street or park;
- minimum stepback from the front lot line of 3.0m for the portion of the building that exceeds a height of 20.0m;

- where the lot is identified as a heritage site, a step back of 3.0m from the line of setback of the conserved heritage building for all portions of the building that exceed the height of the conserved heritage building;
- where a building has windows facing each other, and a line projected at a right angle from one of the windows intercepts the other window, a minimum above-ground separation distance of 15.0m is required between the windows; and
- where a building has windows, a minimum above-ground distance of 7.5m is required between the windows and another main wall without windows or a lot line that does not abut a street or park.

The proposed developments conform with the use permissions of the CRE zone and have been designed in consideration for certain built form provisions related to setbacks, stepbacks and separation distances but do not conform with other standards related to parking, height and angular planes. Therefore, these standards will be addressed through site-specific design parameters, to which the proposed development will comply.

5.6 Heritage Conservation Districts

5.6.1 King-Spadina Heritage Conservation District (Council Adopted, Under Appeal)

The King-Spadina Heritage Conservation District was enacted by Council in October 2017 through by-law 1241-2017 and was subsequently appealed to the LPAT. It remains under appeal and is therefore not in full force and effect. While the HCD Plan is not in effect, it is understood to represent the City's preferred measure of change within the district boundaries with the overarching objective of ensuring the protection, conservation and management of the district's heritage attributes and contributing properties so that its cultural heritage value is protected in the long-term.

Section 4.3 identifies the heritage attributes related to built form, the public realm and specific character areas that define the cultural heritage value of the district. This section identifies the "Commercial Building Typology" and its associated heritage attributes, such as:

- a symmetrical, orderly composition;
- vertical articulation, expressed through bays, window alignments, piers, and projection;
- flat roofs with structural and architectural features; and,
- regular rhythm of windows on all elevations visible from the public realm; among others.



Figure 53: Indicative "Commercial Detached" Property

In Section 5.3, properties have been identified either as "contributing properties" or "non-contributing properties". A "contributing property" is defined as one that "supports the identified significant cultural heritage values, character and integrity of the district" whereas a "non-contributing property" is one that does not "support the overall cultural heritage values, character and integrity of the district". Section 5.4 identifies the District's network of laneways as a heritage attribute that reflects both the historic and contextual values of the District and stresses the importance of ensuring that laneways continue to facilitate service access as well as other activities where appropriate.

Policies and guidelines concerning "contributing properties" are contained in Section 6.0 and are intended to manage change within the District Plan.

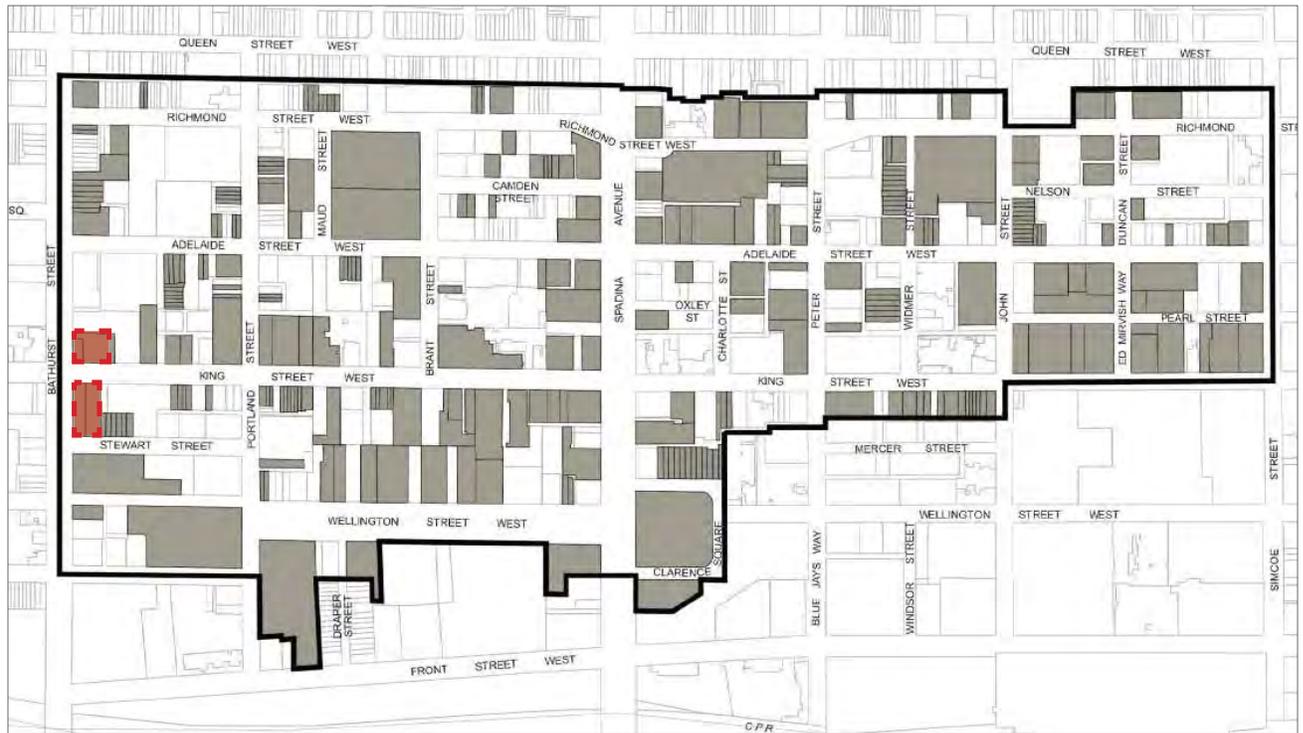


Figure 54: King-Spadina HCD - Contributing Properties

 TOC Sites

This section provides a comprehensive set of directions including:

- Understanding
- Restoration
- Alteration; and,
- Massing, among others.

A selection of relevant general directions in this section includes:

- Alterations to contributing properties must be based on a firm understanding of the contributing property and how it contributes to the Districts’ cultural heritage value and heritage attributes (6.1.1);
- Contributing properties shall be conserved in a manner that ensures the long-term

conservation of the District’s cultural heritage value, heritage attributes, and the integrity of the contributing property (6.2.1);

- The demolition of buildings or structures on contributing properties shall not be permitted, unless the integrity of the contributing property for which the demolition application has been submitted has been lost (6.6.1);
- The demolition and reconstruction of a building on a contributing property shall not be permitted (6.6.2); and,
- The relocation of a building or structure within a contributing property, intact and excepting its sub-surface foundations, may be permitted if the relocation is a modest adjustment from its existing location and preserves the relationship of the structure’s built form to the public realm (6.7.2).

The HCD Plan also identifies specific direction with regards to alterations and massing. Generally, alterations on contributing properties are to be complementary yet subordinate to the cultural heritage value and attributes of the District and must preserve attributes present within the impacted contributing properties (6.10.1-3). Overall, alterations must not diminish the integrity of the District or the contributing property (6.10.4).

Specific direction related to massing states that additions to contributing properties must conserve the three-dimensional integrity as seen from the public realm and be designed in a manner that is complementary to and distinguishable from the contributing property (6.11.1-2). Generally, new additions to commercial detached buildings will only be permitted where the proposed addition conserves the whole building (6.11.9). These new additions must match the streetwall height and setback of the primary structure on a contributing property, while stepping back from all elevations for any additional height above the streetwall (6.11.5-6, 6.11.10). Cantilevers into any required step back or setback will not be permitted (6.11.7).

The proposed developments implicate four contributing properties. These properties are identified in the King-Spadina HCD Plan (under appeal) as belonging to the “commercial detached” building typology. The laneway surrounding the North Site is also identified on the HCD Plan’s Network of Laneways map.

A heritage study assessing the potential impact of TOC developments on the application of the King-Spadina HCD (under appeal) will be finalized through future phases of the work and submitted under separate cover. Nonetheless, the proposed developments have been designed with consideration for the intent of policies and guidelines contained in the King-Spadina HCD Plan (under appeal) through the rezoning stage.

Existing structures on contributing properties will be conserved to the extent that is technically feasible in order to protect the integrity of the contributing property and the cultural heritage value of the District as a whole (to be coordinated through a separate heritage review process). The proposed massing is derived from the “commercial detached” building typology of the heritage buildings and are intended to reference these buildings and others in the district in terms of composition, articulation, materiality, and rhythm of façade. New additions to both sites are intended to conserve the three-dimensional integrity of the heritage buildings through setbacks on street-facing elevations. The massing conserves proportions of the contributing properties by matching streetwall height and line of setback.

The current design of the King-Bathurst Station headhouse on the North Site will result in the partial closure of the western portion of laneway surrounding these properties (the eastern portion will remain open to provide loading access to the proposed development).

5.7 Design Guidelines

5.7.1 King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines were initially approved in tandem with the 1996 King-Spadina Secondary Plan. These guidelines address Areas of Special Interest and Special Streets. Both Bathurst Street and King Street West are identified as Special Streets, each with particular identifying features and buildings. Along Bathurst, the Guidelines call for the preservation and enhancement of existing industrial buildings and states that new development should generally follow the existing built-form characteristics of these buildings. Along King Street West, the Guidelines again identify existing industrial buildings as key urban design precedents for future development, noting the continuous frontages, use of masonry, lack of setbacks, and stepped entries as key features of these buildings. Key directions outlined in these guidelines are identified below:

- In-fill and new buildings will be built to the existing line of setback;
- The height and massing of new buildings will be based on building types prevalent in the area; and
- Street-related retail, business or community uses will be located on the ground floor of buildings..

Patterns of vertical and horizontal articulation and fenestration on the facades of new buildings will also be based on the articulation of the historic building facades.

Council adopted an update to the King-Spadina Urban Design Guidelines in 2006 alongside OPA 2 and By-law 922-2006. These updated guidelines provide a greater degree of specificity related to area structure and built form than the existing 2004 guidelines. General guidelines for the entirety of the King-Spadina area include:

- New development should be designed to reinforce the heritage character of the area and promote the preservation and adaptive re-use of heritage buildings;
- Development should contribute to an improved and enhanced public realm;
- Parking and service access should be located off lanes where possible and should not be visible from the public realm;
- Tall buildings are to meet the objectives and policies of the Official Plan and the principles set out in the Guidelines; and,

New development should reinforce a street wall height that reflects the character and scale of the area.

The updated guidelines also provide specific direction for new development within the West Precinct. In this section, the guidelines identify the uniform height, scale and massing of new development as a distinguishing attribute of the West Precinct as well as the diverse combination of uses in this area. Primary built form objectives for new development in the West Precinct focus on maintaining and reinforcing general building scale, the relationship of buildings to

one another along the street, and the design of buildings at the street level to enhance comfort, convenience and interest of the pedestrian as shaped by the streetscape and adjacent built form. The guidelines identify a general decrease in the height and scale of development from the towers in the Financial District to the east and the low-rise residential houses in neighbourhoods to the west.

It should be noted that at a meeting on January 29, 2020, Council directed City Planning to review the existing Urban Design Guidelines and to bring forward proposed updates as required to align the guidelines with adopted updates to the King-Spadina Secondary Plan (2020). Alongside updates to the Urban Design Guidelines, Council directed City Planning to study and bring forward a Public Realm Strategy of the whole of the King-Spadina Secondary Plan area. No timeline has yet been identified for these updates.

The proposed developments have been designed with consideration for the overall objectives and direction in the King-Spadina Urban Design Guidelines, particularly in terms of site organization, massing and articulation. Development on both sites propose the adaptive re-use of existing heritage buildings and, broadly speaking, the proposed developments strive to respect and reinforce the existing heritage character of the area. The massing of new additions draws on the proportions and articulation of surrounding properties to maintain the general relationship of buildings to one another at the street and strive to enhance the comfort, convenience and interest from the pedestrian perspective. The overall height and

scale of the proposed developments represent an intermediate scale of development between towers in the Financial District and the low- and mid-rise character of the neighbourhoods to the west.

The proposed developments will consider the intent of updates to the Urban Design Guidelines and the Public Realm Strategy as these become available.

5.7.2 Tall Building Guidelines

The Tall Building Design Guidelines provide performance criteria for tall buildings. The most recent version of the document was adopted by City Council on May 8, 2013. Their intent is to establish a unified set of performance measures for the evaluation of all tall building development applications city-wide. Tall buildings are generally defined by the document as any building that exceeds in height the width of the adjacent right-of-way. Most tall buildings in Toronto consist of three carefully integrated components: a base building, middle and tower top.

The Tall Building Guidelines aim to advance the following objectives:

- Promote excellence in architectural and urban design;
- Promote compatibility and a harmonious fit with the planned and existing built context, public realm and parks and open spaces;
- Integrate and conserve existing heritage

resources such that new tall buildings are sympathetic to and compatible with historic structures in the vicinity;

- Consider the cumulative effect of multiple high rise towers on issues such as access to sunlight and sky views, wind impacts, comfort and the quality of adjacent parks, private and public open spaces, neighbouring properties and the public realm;
- Ensure a safe, accessible, vibrant and attractive public realm and pedestrian environment;
- Respond to prominent sites and view corridors so as to reinforce the structure and legibility of the city; and
- Ensure high quality living and working conditions.

The proposed developments have been designed to meet the intent of Tall Building Guidelines. The design approach is sympathetic to historic structures and integrates and conserves existing heritage resources. The massing of the buildings promotes a harmonious fit with the existing built form while providing appropriate transitions to varying contexts. The proposed overall height is taller but approximate to the taller mid-rise form that is found in the King-Spadina area.

For further detail with regard to how the proposed developments respond to and implement the intent of Tall Building Guidelines please refer to the Urban Design Response contained in Section 4.0 of this report.

5.7.3 Growing Up: Planning for Children in New Vertical Communities (2020)

Growing Up: Planning for Children in New Vertical Communities (“Growing Up Guidelines”) was adopted by City Council on July 28, 2020 as a guide for creating inclusive vertical communities to accommodate Toronto’s growing population. The intent of the guidelines is to integrate family-suitable design into the planning of new multi-unit residential development.

Key directives from the guidelines include:

- The target unit size for two bedroom units should be at least 87-90m²; for three bedroom units, at least 100-106m²;
- Proposed developments should contain a minimum of 25% large units. At least 10% should be three bedroom units, and at least 15% two bedroom units;
- Proposed developments should anticipate future flexibility and be designed to facilitate conversion of discrete smaller units to larger family sized units should the need arise;
- Special consideration should be given to family supportive storage and amenity needs, (i.e. on site childcare, youth focused POPS or dedicated stroller storage); and
- The provision of a range of family sized and accessible units and childcare facilities can help to ensure that proposed TOCs can accommodate and support a diversity of households, family structures and individuals of all ages, cultural backgrounds and income levels.

The proposed developments contains a minimum of 25% larger sized units and target the delivery of as many as 40% large units. The target unit size of these units is informed by standards outlined in the Growing Up Guidelines.

5.7.4 Ontario Transit Supportive Guidelines (2012)

The Transit-Supportive Guidelines were first published in 1992 as a resource for municipalities on planning and developing communities and transit facilities that support transit investments and the use of public transit. The Guidelines were updated in 2012 to respond to new provincial policy direction to encourage more livable and walkable complete communities, increase transit ridership, and reduce reliance on the private car.

The Guidelines are divided into three levels of intervention, with Community-Wide Guidelines, District-level and Site-Specific Guidelines, and Transit Improvement Strategies. The District-level and Site-Specific Guidelines are most relevant to the proposed redevelopment. They provide direction on street layout and street composition, access to transit, urban form, parking, as well as specific recommendations for specialized uses.

The final design will be developed in consideration of these guidelines.

6.0 Rationale

- 6.1 Planning Rationale Summary**
- 6.2 Neighbourhood Enhancements**
- 6.3 List of Supporting Materials**

6.1 Planning Rationale Summary

Proposed TOC developments at King-Bathurst Station will deliver new landmark buildings housing a mix of uses that will reinforce and support the continuing evolution of the King-Spadina neighbourhood as a vibrant, mixed-use and transit-oriented complete community. The

proposed developments have regard for matters of Provincial Interest, policy and legislation and have been designed with consideration for the intent of municipal policy and guidelines. The following five points represent a summary of the key benefits of these developments.



Figure 55: Illustrative Render - The new King-Bathurst station

Contextually sensitive yet transit-supportive intensification within one of the city's most successful and attractive areas

The proposed developments deliver mixed-use intensification in buildings structurally integrated with the new King-Bathurst Station, as supported by the policies of the Provincial Growth Plan, Regional Transportation Plan, Provincial Policy Statement, City of Toronto Official Plan and Downtown Secondary Plan. These developments provide a mix of residential, transit and office uses supporting approximately 734 people and 91 jobs within a future Major Transit Station Area in close proximity to some of the city's most significant institutional and cultural destinations.

This concentration of people and jobs will be accommodated in a compact built form, designed with consideration for tall building guidelines and responsive to the intent of the land use and built form policies in the King-Spadina Secondary Plan, Downtown Secondary Plan and City of Toronto Official Plan. These contextual tall building forms draw on the characteristic built form of the King-Spadina Secondary Plan area and mitigate adverse physical impacts on sensitive uses and the public realm.

Expansion of housing options and opportunities for small-scale, flexible office space

Collectively, the proposed developments will deliver approximately 422 new residential units to the area, including new family-sized and affordable units, reflecting the intent of policy

in the Downtown Secondary Plan, Growing Up Guidelines, and emerging direction of the Inclusionary Zoning policy study. These will be complemented by high-quality, communal indoor and outdoor amenity spaces which will act as an extension of personal living space, contributing to the well-being of residents and overall livability of the area.

The proposed developments deliver approximately 1,315 sq.m. of non-residential (office) space in a prime, transit-accessible location. The configuration and scale of this space is well suited for small-scale employment uses and therefore has the potential to complement the existing and emerging cluster of these firms in the King-Spadina area, supporting the continued function of King-Spadina as a truly mixed-use area.

Great public realm through transit-oriented design

The proposed developments will be transit-oriented by design, facilitating direct, convenient, and accessible connections between the new Ontario Line and existing surface transit routes along King Street West and Bathurst Street. The design places clear priority on active transportation, providing bicycle parking at a rate exceeding City standards.

The proposed developments will be accompanied by transit-oriented and pedestrian-friendly streetscape improvements along both Bathurst Street and King Street West, consistent with the latter's identification as one of the Toronto's Great Streets. Active frontages and pedestrian-

scaled streetwalls contribute to the identity of this area as a walkable and well-connected mixed-use area

Maintaining and contributing to sense of place in the King-Spadina District

The proposed developments are rooted in an understanding of the unique heritage character that defines the King-Spadina area and strive to conserve the identified heritage resources.

On both sites, new transit stations are anticipated to be located within conserved heritage structures, infusing these sites with newfound civic importance and reinforcing their cultural heritage value. The overall design of the proposed developments celebrates the area's

industrial heritage while introducing contemporary forms that strive to positively contribute to the legibility and integrity of the district as a whole. Considered together, the proposed developments will form a “gateway” to the Downtown, reflecting both the civic importance of the Ontario Line and the defining attributes of the King-Spadina neighbourhood.



Figure 56: Illustrative Render - Southeast view of the King-Bathurst intersection

6.2 Neighbourhood Enhancements

The provision of neighbourhood enhancements in the form of amenities, social supports and community infrastructure is a fundamental element of good planning and represents the basis upon which the livelihood and vibrancy of complete communities rely. Accordingly, a primary objective of the TOC program is to leverage investment in transit infrastructure to deliver these enhancements in neighbourhoods across the City.

The proposed developments achieve this objective by making positive contributions and investments to the public realm and in neighbouring communities. Through the rezoning stage, the proposed developments incorporate the following features intended to improve the neighbourhoods in which they reside:

- Streetscape improvements on Bathurst Street and King Street West;
- Conservation of significant heritage attributes within the King-Spadina Heritage Conservation District (under appeal);
- Affordable housing as per emerging Inclusionary Zoning Policy; and,
- Larger-sized units responding to the intent of the Downtown Secondary Plan and Growing Up Guidelines.

6.2.1 Community Benefits Charge

As the TOC Program advances to further stages of development, proposed developments at King-Bathurst will be expected to secure additional neighbourhood enhancements through the payment of a community benefits charge (“CBC”). The exact processes regarding the implementation of CBCs for individual TOC developments across the Ontario Line remains to be determined and will be informed by future discussions between provincial, municipal, and community stakeholders in concert with the development partner(s).

It is important to note that over the past two years, the Government of Ontario has introduced significant changes to the regulation of community benefits within the province’s land use planning system. Previously, Section 37 of the Planning Act permitted municipalities to authorize increases in permitted height and/or density through the zoning by-law in return for these benefits.

In 2019, the Province introduced Bill 108, *More Homes, More Choice Act*, 2019, that replaced density bonusing under Section 37 with a new regime permitting municipalities to impose a CBC to contribute to “capital costs of facilities, services and matters” incurred from development growth. The new CBC regime will come into effect on September 18, 2022, with charges being tied to appraised land values as determined prior to

the issuance of a building permit. Regulations within Bill 197, in-force as of September 18, 2020, sets this maximum cap at 4% of the land value, although this is subject to change and modification.

Though is still yet to be decided, the CBC is considered a key component of TOC developments and a critical part of creating a sustainable, inclusive and affordable transit-oriented community.

The provision of these benefits should be rooted in a clear understanding of local needs and priorities.

Additionally, the extent to which the construction of the Ontario Line, and associated TOC developments, represent an opportunity to support local economic development should also be considered; to this end, the establishment of a Community Benefits Advisory Group, in accordance with the City of Toronto Community Benefits Framework, is recommended.



Figure 57: Illustrative Render - King Street West Looking East

6.3 List of Supporting Materials

This Planning & Urban Design Rationale is submitted in tandem with the following materials:

- Cover Letter
- Project Data Sheet(s)
- Architectural Drawings (including sun/shadow studies)
- Concept Site and Landscape Plan
- Geotechnical Scope Memo
- Transportation Impact Study (includes parking, loading, traffic operations)
- Functional Servicing Report
- Drainage and Stormwater Management Report
- Computer Generated Building Mass Model