

355 King St W and 119 Blue Jays Way - OPA & Rezoning Applications - Preliminary Report

Date:	May 27, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	08 150526 STE 20 OZ

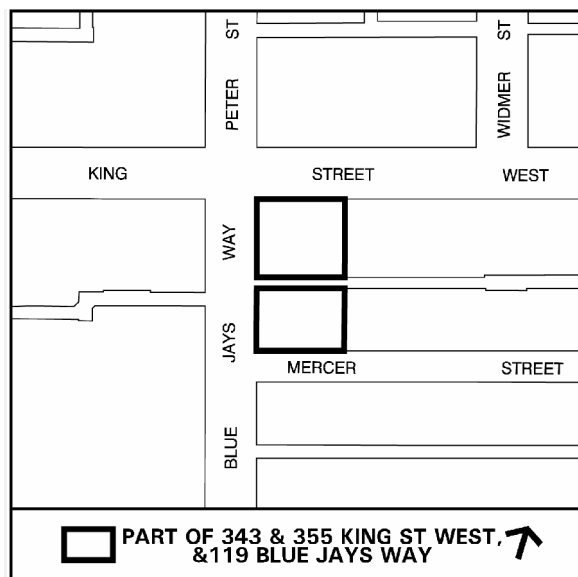
SUMMARY

This application proposes the construction of a 48-storey (149.8m) mixed-use building with a 6 storey podium, accommodating a hotel, art gallery and retail uses at 355 King Street West. The total building height is 177m to the building’s decorative peak. The property is currently developed with the “Canadian Westinghouse Building”, which is designated under Part IV of the Ontario Heritage Act. The north and west exterior walls of the building are proposed to be incorporated into the new development, with the balance to be demolished.

The southern portion of the lands, municipally known as 119 Blue Jays Way, is proposed to be developed with an 18 storey residential building with retail and restaurant uses at grade and a building height of 62.85m.

This report provides preliminary information on the above-noted application and seeks Community Council’s direction on further processing of the application.

The subject properties are located within the King-Spadina Secondary Plan, East Precinct area. This area has been the subject of a significant number of development applications that are well in



excess of permitted building heights and do not meet the built form policies of the Secondary Plan. On April 2008 Toronto and East York Community Council, directed planning staff to review the existing built form policies in the East Precinct, as noted in motion no. TE 14-70. The study will specifically address the following:

1. The public policy goals and objectives of the Official Plan;
2. The goals and objectives of the King-Spadina Secondary Plan;
3. The emerging “Living Downtown Study” principles;
4. The heritage character of the area including enhancements to the area’s heritage policy framework;
5. The maintaining and enhancing of employment opportunities in the area; and
6. The impact on pedestrian safety and the public realm.

Coupled with this review, the newly established Entertainment District Business Improvement Association (“BIA”) has initiated a Master Plan exercise. The BIA study area includes the East Precinct, which will be reviewed by staff, in accordance with Community Council’s direction. The BIA process commenced on May 29, 2008.

Planning Staff have circulated this application, and other similar, recently received applications in the East Precinct, to be considered in parallel with the broader studies.

Community Consultation meetings are recommended throughout the balance of this process, in consultation with the Ward Councillor. Community Consultations for all individual applications and the Built Form Review were held in June of this year, in accordance with the regulations of the Planning Act.

This development proposal challenges many aspects of the existing policy framework for King Spadina, and will be reviewed in the context of the City’s built form review and the BIA Master Plan study. Likewise, comments received on individual applications will help to inform our area review and will be considered in the public consultation process.

It is staff’s goal to have all the studies completed prior to reporting back to Council on any individual application. It is anticipated that a final report for the subject application will be submitted in the first to second quarter of 2009.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to continue to process all current and future zoning amendment applications in the East Precinct of the King-Spadina Secondary Plan area, in light of the City's and BIA's built form and Master Plan reviews for the area.
2. Staff be directed not to submit Final Reports on development applications in the King-Spadina East Precinct until such a time as the built form review has been considered by Council.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2005, a review of the King-Spadina Secondary Plan was initiated by Council to evaluate specific matters related to entertainment uses in the area, community infrastructure, built form policies and the policies related to the public realm. The study was completed in 2006 and resulted in Official Plan Amendment 921-2006 and Zoning By-law Amendment 922-2006 being approved by City Council which introduced limited changes to the planning framework for the area. These amendments were enacted by City Council in September 2006 and are currently under appeal to the Ontario Municipal Board by area owners and developers. There have been a series of pre-hearing conferences resulting in many appeals being withdrawn or settled. A hearing is now scheduled for November 2008.

ISSUE BACKGROUND

Proposal

The subject lands are comprised of two sites which are located on the east side of Blue Jays Way between Mercer Street and King Street West, and are municipally known as 355 King Street West and 119 Blue Jays Way. A 4.27 metre wide lane running east to west from John Street to Blue Jays Way bisects the two parcels (See Attachment 1 – Site Plan). The two sites will be developed exclusive of each other, with linkages.

The proposed development of the north parcel consists of a 48 storey building comprised of a 6-storey podium, and a 42-storey tower, with all vehicular access being proposed from the laneway.

The 1st and 2nd floors of the podium will consist of retail, gallery, lecture and theatre-related space as well as hotel and residential lobbies. A portion of the 3rd floor at the corner of King Street West and Blue Jays Way is proposed to be used as an Art Gallery and theatre related space. The remainder of the third floor and floors up to and including the 6th floor of the podium will contain 111 hotel units.

On the podium roof there will be an approximately 616 square metre outdoor amenity area located on the western portion of the building and also surrounding the tower. The tower will be setback from the edge of the podium by 5.4 metres along the King Street West frontage, 28 metres on the Blue Jays Way frontage, 5.3 metres on the eastern

boundary, and 2.7 metres from the laneway.

The tower component will accommodate 308 residential units, of which approximately 5 per cent are 3 bedroom units. The floorplate of the tower increases in size from approximately 692 square metres at the 7th floor to approximately 789 square metres at the 38th floor and decreases again above the 38th floor to approximately 692 square metres. Above the 48th floor is a mechanical penthouse with a decorative architectural feature.

The north building will contain approximately 10,730 square metres of non-residential floor area and 29,400 square metres of residential gross floor area. A total of 616 square metres of indoor residential amenity space and 537 square metres of hotel amenity space will be provided on the 7th and 8th floors.

The proposed south building will be 18 storeys high with the tower element placed along the Blue Jays Way frontage. The balance of the building along the Mercer Street frontage will be a 9 storey podium.

Retail and restaurant uses at grade are proposed to front onto Mercer Street, Blue Jays Way and the internal laneway area. The south building will accommodate 178 residential units. The floorplate of the tower is approximately 612 square metres.

With respect to floor area, there will be 560 square metres of non-residential floor area and 15,189 square metres of residential gross floor area. A total of 370 square metres of indoor amenity space will be provided on the 10th floor. Also, on the roof of the 9th floor podium there will be an outdoor amenity area of approximately 356 square metres.

Parking is proposed on four below grade levels on the north site, and three below grade levels on the south site. There will be a total of 366 parking spaces consisting of 269 on the north site and 123 on the south site. All access to the proposed parking on both parcels and to loading facilities is proposed to be from the east-west public laneway bisecting the two sites.

Site and Surrounding Area

The subject lands are located at the south-east corner of King Street West and Blue Jays Way and consist of two parcels municipally known as 355 King Street West (north parcel) and 119 Blue Jays Way (south parcel), with a 4.27 metre wide lane bisecting the two parcels, which runs from John Street to Blue Jays Way.

The north parcel is 2,013 square metres in size and is rectangular in shape with approximately 65.90 metres of frontage along King Street West and 30.61 metres of frontage along Blue Jays Way. The site is currently occupied by a 6 storey office building that is designated under Part IV of the Ontario Heritage Act (The Canadian Westinghouse Building). The remainder of the site is currently used as a surface commercial parking lot.

The south parcel is 1,613 square metres in size and is rectangular in shape with

approximately 65.75 metres of frontage along Mercer Street and 24.48 metres of frontage along Blue Jays Way. The entire site currently consists of a surface commercial parking lot.

The subject site is surrounded by the following uses:

North: There are a variety of uses including office, hotel, restaurant, theatre and residential, within buildings ranging in heights from 2-storeys to 42-storeys. A 20-storey hotel building (Holiday Inn) on the north side of King Street West; the 42 storey (157 metre) Festival Tower and Bell Lightbox building is under construction further east at the corner of King Street W. and John Street; further west at 430 King Street W. is a recently approved 32 storey (105 metres) building to be constructed.

South: Across Mercer Street to the south is the recently approved 20 storey (63.75m) residential condominium on the southeast corner of Mercer Street and Blue Jays Way (99 Blue Jays Way) and the three buildings on the north side of Wellington Street ranging in height from 13 storeys to 18 storeys (250 Wellington Street).

East: Directly to the east, on the south side of King Street W. are a series of 2 and 3 storey mixed use historic buildings. East along Mercer Street is an 11 storey building at 26-30 Mercer Street (the Hotel Le Germain), a 3 storey building at 24 Mercer Street, which is a listed heritage building.

West: Directly west of the site, are mixed use buildings ranging in heights from 2 to 5-storeys. Further west along King Street W. is an OMB approved 35-storey residential building site (379 King Street W.). On the west side of Blue Jays Way (56 Blue Jays Way) is an approved 18 storey (62 metres) building site. The 16 storey (54 metres) Soho Metropolitan Hotel is located southwest of the site at the northwest corner of Wellington Street and Blue Jays Way (318 Wellington Street West).

Provincial Policy Statement and Provincial Plans

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated Regeneration Area in the City of Toronto Official Plan which permits the proposed residential and commercial uses. Chapter 6.16 of the new Official Plan contains the King-Spadina Secondary Plan. The King-Spadina Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. In particular, Section 3 – Urban Structure and Built Form, subsection (e) specifies that new buildings will achieve a compatible relationship with their built form context through consideration of such matters of building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression. Further, Section 4 – Heritage subsection 4.3, cites that ‘New buildings should achieve a compatible relationship with heritage buildings in their context through consideration of such matters as, but not limited to, building height, massing, scale, setbacks, stepbacks, roof line, and profile and architectural character and expression.

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 3- Zoning Map). As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks.

The Zoning By-law permits a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. A 3-metre stepback above 20 metres on all street frontages is also required.

Site Plan Control

The proposed development is subject to site plan approval. No site plan submission has been made.

Reasons for the Application

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 30m (98.4 ft.) for the site as set out in Zoning By-law 438-86, as amended, by 147m (482.3 ft.), resulting in a proposed 177m (581 ft.) building height. In addition, the building does not comply with the required 7.5 metre setbacks from the side and rear lot lines as set out in Zoning By-law.

The built form policies of the King-Spadina Secondary Plan, sets out a policy framework that results in a built form and massing, which is complementary to the historic physical fabric in the area. This built form generally results in a mid-rise building that reinforces the area’s warehouse character. Provided the proposed development is found to be in

compliance with the development criteria for the Regeneration Areas and the policies of the King-Spadina Secondary Plan, an Official Plan amendment will not be required.

COMMENTS

Issues to be Resolved

Issues to be addressed include, but are not necessarily limited to:

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan;
2. Compliance with the Tall Building Design guidelines;
3. Height and massing relationships with the immediate area and with abutting properties;
4. Relationship to abutting heritage buildings and the physical heritage character of the area;
5. Traffic, site servicing, and impacts on the pedestrian realm;
6. Shadow impacts on the public realm including King Street West that result from the height and massing, as well as light, view and privacy issues related to abutting properties.
7. Impacts on the future development of the King-Spadina area.
8. Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.
9. Identification and securing of community benefits under Section 37 of the Planning Act should the proposed development, or some version thereof advance, will be assessed, in accordance with Sections 5.1 and 7.2 of the King-Spadina Secondary Plan.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

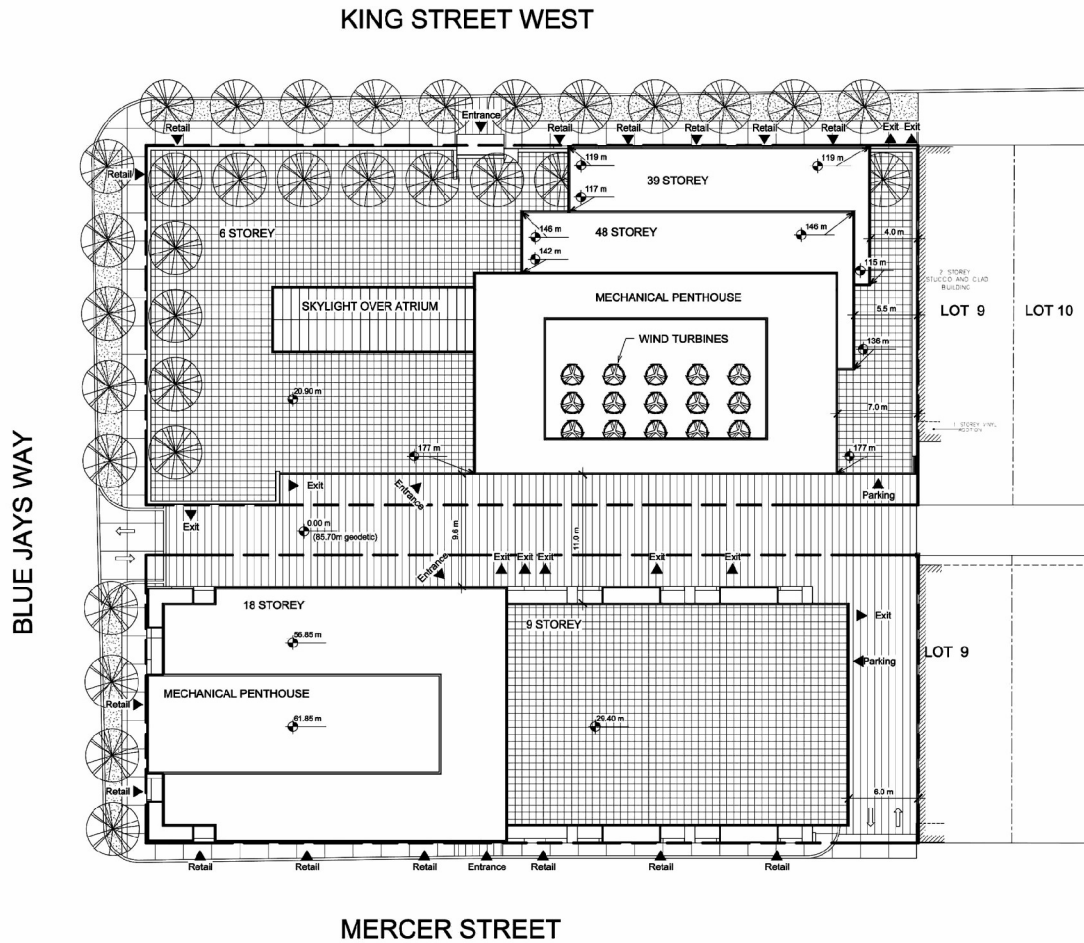
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan / Roof Plan

Applicant's Submitted Drawing

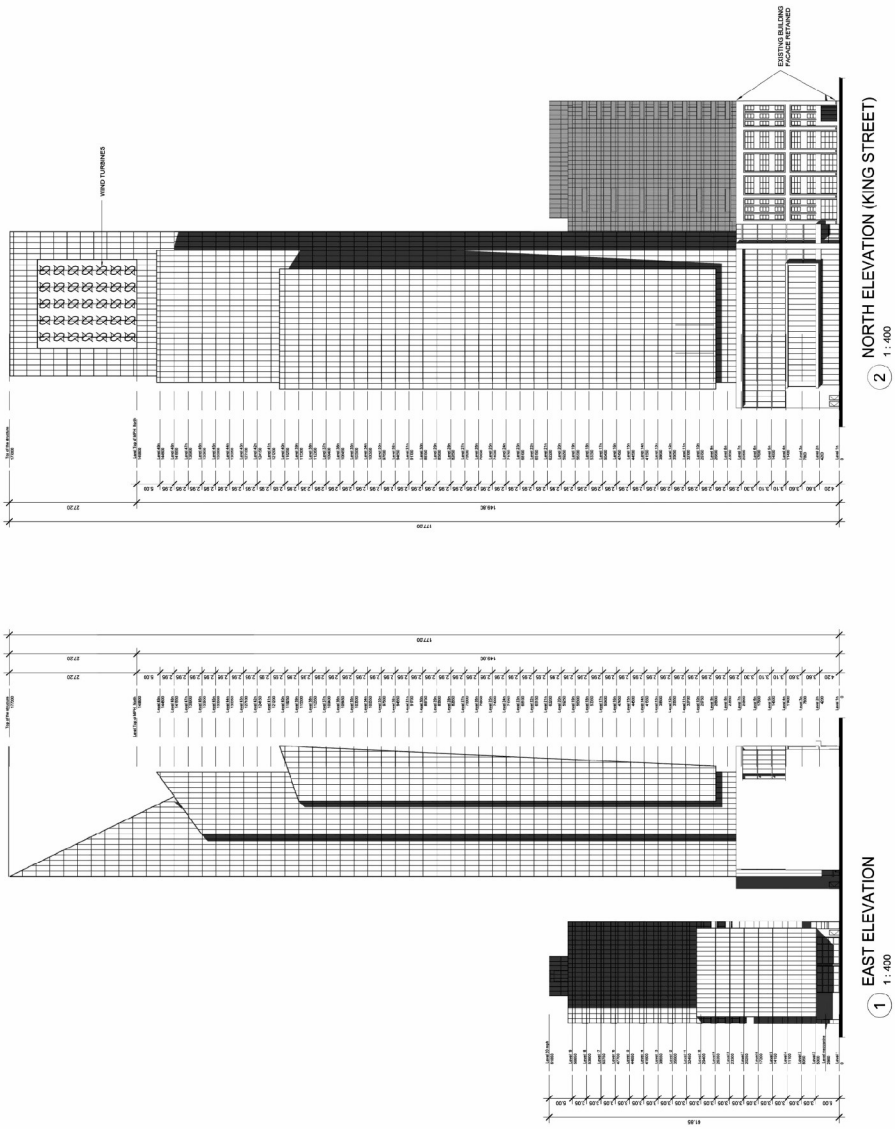
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05/26/03

Part of 343 & 355 King Street West,
& 119 Blue Jays Way

File # 08_150526

Attachment 2: Elevations

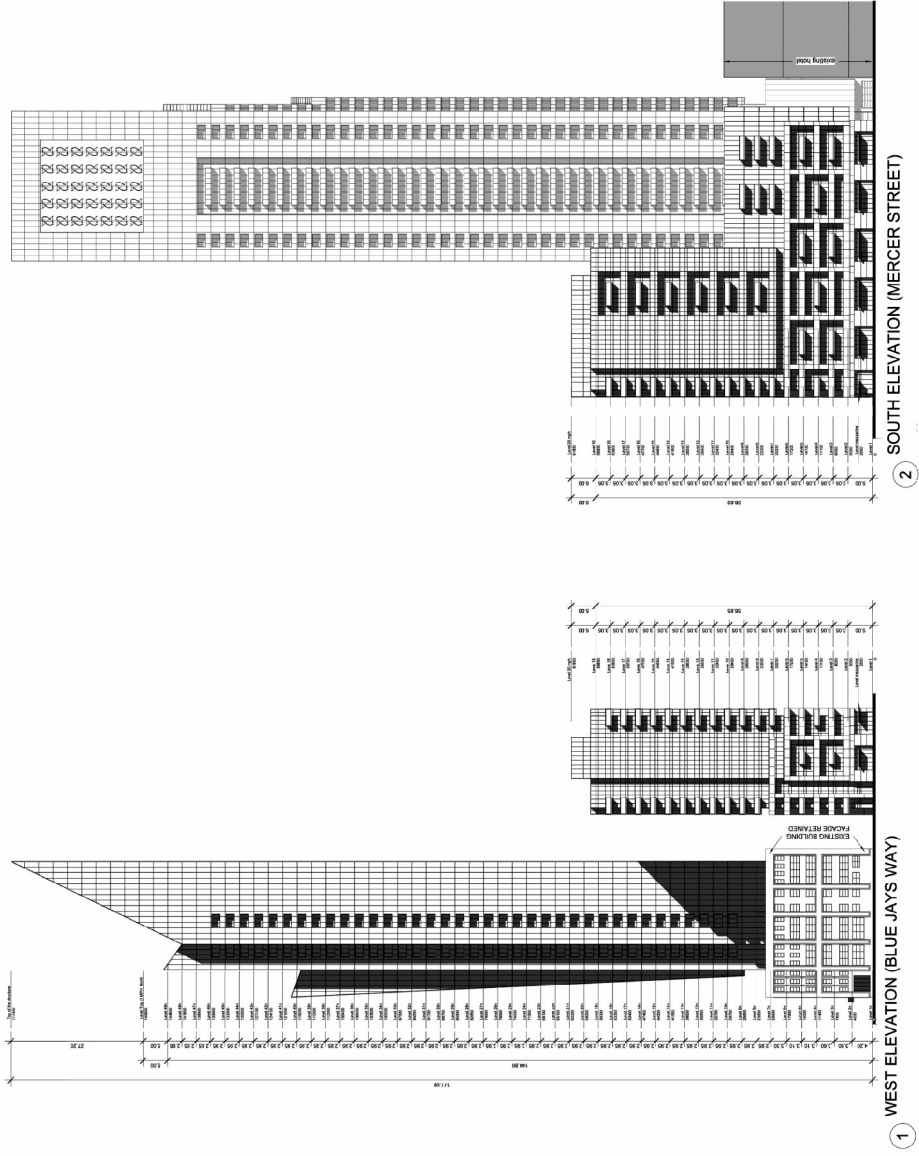


Elevations

Applicant's Submitted Drawing

Not to Scale
05/26/08

File # 08_150526



Elevations

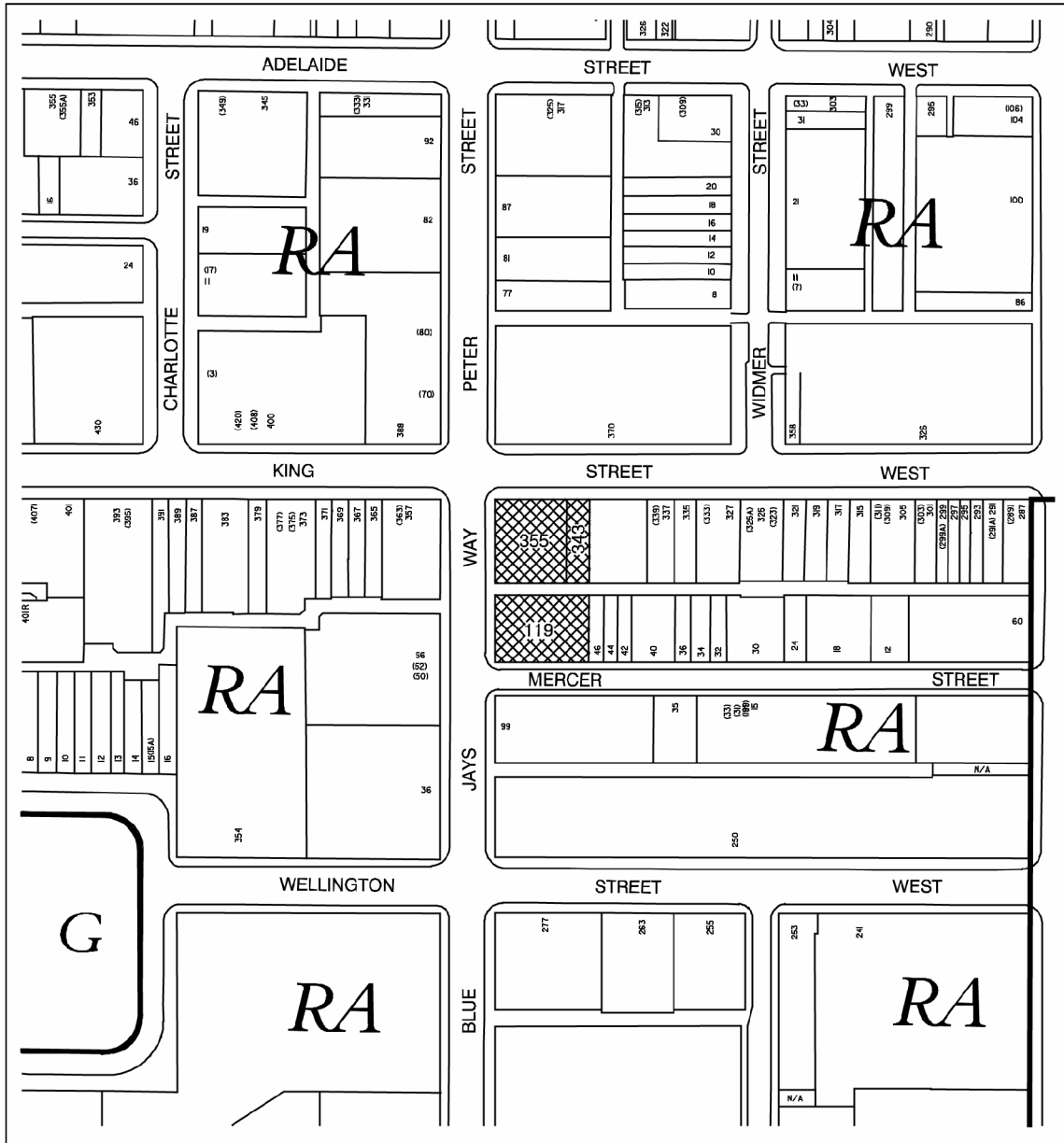
Part of 343 & 355 King Street West, & 119 Blue Jays Way

Applicant's Submitted Drawing

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05/26/08

File # 08_150526

Attachment 3: Zoning



Part of 343 & 355 King Street West, & 119 Blue Jays Way

File # 08_150526

- G Parks District
- RA Mixed-Use District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 05/26/08- DR

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	08 150526 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	April 23, 2008

Municipal Address: 355 KING ST W
 Location Description: PL 57 LT1 TO 8 **GRID S2015
 Project Description: Official Plan Amendment and Zoning Bylaw Amendment for redevelopment of subject lands to construct two mixed use buildings having heights of 48 storeys and 18 storeys. The existing public lane separating the proposed redevelopment will continue to be maintained.

Applicant:	Agent:	Architect:	Owner:
PATRICK DEVINE		Page + Steele	PETER KOFMAN

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	3626	Height:	Storeys:	48
Frontage (m):	65.75		Metres:	144.8
Depth (m):	65.75			
Total Ground Floor Area (sq. m):	1215			Total
Total Residential GFA (sq. m):	44580		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	11290		Loading Docks	3
Total GFA (sq. m):	55870			
Lot Coverage Ratio (%):	33.5			
Floor Space Index:	15.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	44580
Bachelor:	0	Retail GFA (sq. m):	1170
1 Bedroom:	241	Office GFA (sq. m):	0
2 Bedroom:	221	Industrial GFA (sq. m):	0
3 + Bedroom:	24	Institutional/Other GFA (sq. m):	10120
Total Units:	486		

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