

**33 and 52 Sumach Street, and 549 and 569 King Street East - Official Plan and Zoning Amendments and Site Plan Approval Applications – OMB Directions Report**

<b>Date:</b>	March 17, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Numbers:</b>	07 142879 STE 28 OZ and 07 142894 STE 28 SA

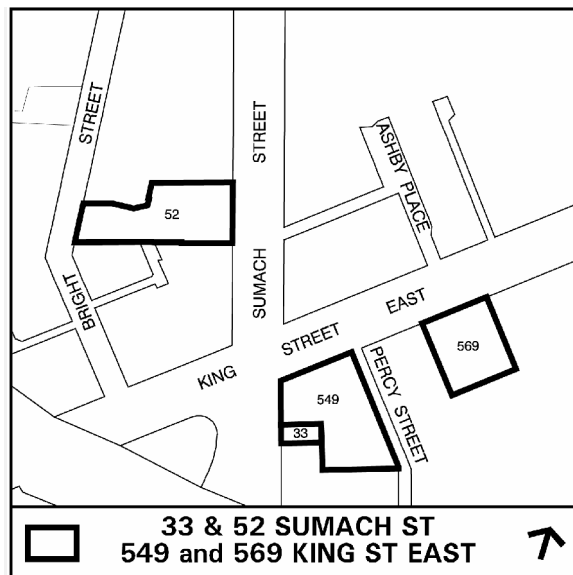
**SUMMARY**

The applicant has appealed the Official Plan and Zoning By-law amendments and Site Plan Control applications to the Ontario Municipal Board (OMB). A full hearing date has not been set, but a pre-hearing is scheduled for April 17, 2008.

The applications before the OMB are to permit the redevelopment of four properties (Phase 1): 33 and 52 Sumach Street, and 549 and 569 King Street East. No. 52 Sumach Street is proposed as a five-storey residential building with 3 three-storey townhouses. Nos. 549 King Street East and 33 Sumach Street are proposed as a six-storey mixed-use building with 4 three-storey townhouses and 569 King Street East is proposed as a six-storey mixed-use building.

The purpose of this report is to seek Council’s direction on the appeals to the OMB.

Since the appeal, the applicant has submitted a revised proposal reflecting some the comments received from staff and community members. Appropriate agencies and City departments will evaluate this revised submission. Staff are



continuing to work with the applicant in an effort to resolve outstanding technical and design-related issues, but the proposals are supportable in principle.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that Council:**

1. authorize the City Solicitor and City staff to attend at the OMB pre-hearing and hearing in support of the appeals, in principle, subject to the resolution of all outstanding technical issues, including, but not limited to, the applicant:
  - a. providing a loading area (Type-G), to the satisfaction of Solid Waste Services and Technical Services Divisions, for garbage pick-up on the Corktown District Phase 2 land parcel, which will function as a centralized shared garbage staging and loading area for the four residential condominium buildings (for Phases 1 and 2);
  - b. providing an enhanced indoor amenity space in Phase 2 that will be shared amongst the four residential buildings;
  - c. satisfying the Zoning By-law visitor parking requirement (off-site) for their Phase 1 buildings, to the satisfaction of the Technical Services and Facilities and Real Estate Divisions;
  - d. providing revised drawings and documentation for 549 King Street East to address safety and building code measures in relation to the site's proximity to the Toronto Transit Commission Sumach Street transformer station; and
  - e. providing revised landscaping drawings, a detailed landscape cost estimate, and a Letter of Credit, to the satisfaction the City Planning Division and Waterfront Toronto for landscaping along the west frontage of 549 King Street East and the proposed Sumach Street off-site parking area;
2. require the applicant to revise the application to address the remaining design-related issues and comments from circulated City departments and agencies, including, but not limited to, the applicant:
  - a. shifting the north west corner (units 106 to 506) of the proposed 52 Sumach Street condominium building, one metre to the east, to achieve a minimum setback distance of 5.5 metres from the rear main windows to the property line;

- b. improving the facing distance (to approximately 9 metres) between the 549 King Street East condominium building and the existing row houses along Percy Street by:
    - i. eliminating the balconies of units 201 to 301;
    - ii. recessing the condominium's south east emergency exit door to create a continuous setback with the four proposed townhouses to the south; and
    - iii. providing additional landscaping along the east wall of the underground garage ramp;
  - c. shifting the proposed 569 King Street East building to the north, to achieve a minimum setback distance of 5.5 metres from the rear main windows to the south property line;
3. authorize the City Solicitor to request the OMB to withhold its Order approving the Official Plan and Zoning By-law amendments until:
    - a. an Official Plan Amendment and Zoning By-law Amendment are prepared to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director of City Planning Division; and
    - b. the owner has entered into a Site Plan Agreement under Section 114 of the *City of Toronto Act* to the satisfaction of the Chief Planner and Executive Director of City Planning Division; and
  4. authorize the City Solicitor and City staff to take such necessary steps to implement the foregoing.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **ISSUE BACKGROUND**

### **Original Proposal (July 2006)**

Nos. 549 King Street East and 33 Sumach Street were previously the subject of a Zoning By-law amendment application in 2006 (File No. 06 156830 STE 28 OZ), to permit a mixed-use building comprising of 463 square metres of retail space, 40 residential apartment units and four residential townhouse units. In consultation with City staff, the owner modified their development proposal to include two additional properties, so that amenity space, parking and site servicing issues could be addressed in a comprehensive manner.

## **Proposal (April 2007)**

### Phase 1

On April 5, 2007, Streetcar Developments Inc. submitted Official Plan and Zoning By-law amendments and Site Plan Approval applications for Phase 1 of their Corktown District development plan, which consisted of four development sites, known as 33 and 52 Sumach Street, and 549 and 569 King Street East.

The Preliminary Report, dated May 7, 2007, recommended that staff schedule a community consultation meeting together with the Ward Councillor. The Preliminary Report identified planning issues related to the Official Plan's built form criteria and the provision of the overall design of the development, appropriateness of the proposal within its context, access, parking and loading. The Preliminary Report can be accessed at: <http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-3779.pdf>

The Phase 1 proposal was initially for three six-storey buildings, with townhouses on 52 Sumach Street and 549 King Street East. The Sumach Street building was proposed as exclusively residential and the King Street East buildings were proposed as mixed-use developments. The proposal also included the leasing of two City-owned lots under the Richmond-Adelaide Street overpass. These parking lots would be designated for off-site visitor and commercial tenant parking; a car-share parking space and a Type G loading area.

## **Related Proposal (November 2007)**

### Phase 2

On November 5, 2007, the applicant submitted Official Plan and Zoning By-law amendments and Site Plan Approval applications for Phase 2 of their Corktown District development plan. The Preliminary Report, dated January 14, 2008, can be accessed at: <http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-10204.pdf>

City staff are currently reviewing the Phase 2 development proposal. In addition, Community Planning staff, in consultation with Councillor Pam McConnell, are in the process of scheduling a community consultation meeting for April 16, 2008.

## **OMB Appeal**

On December 4, 2007, the City Clerk's Office received notification that the applicant appealed their Phase 1 applications to the OMB on the basis that the City has failed to make a decision.

## **COMMENTS AND PLANNING ANALYSIS**

### **Site and Surrounding Area**

All three sites (four municipal addresses) are located within the district of Corktown, which is identified by Map 15-3, Areas of Special Identity of the King-Parliament Secondary Plan. The Corktown area is situated north of Eastern Avenue, south of Queen Street East between Power and River Streets.

No. 52 Sumach is occupied by an existing one-and-a-half storey building and is situated near the corner of King Street East with the rear of the lot abutting Bright Street. Number 549 King Street East was previously an automotive service shop and is currently a vacant lot. Number 33 Sumach Street is a detached two-storey residential house. Number 569 King Street East is situated on the south side of King Street East between Percy Street and St. Lawrence Street and is occupied by a two-storey building. The following table summarizes the uses that abut the sites:

**Table 1: Surrounding Developments**

<b>Property</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
52 Sumach Street	1-storey and 3-storey office/commercial buildings	2 ½ -storey residential/office/commercial building	2-storey residential houses and a 4-storey office/commercial building	2-storey residential houses
549 King Street West (and 33 Sumach Street)	3-storey row townhouses	2-storey residential houses and a TTC transformer facility	2-storey row houses separated by a private lane	1-storey animal hospital separated by Sumach Street
569 King Street West	3-storey row townhouses	3-storey apartment building	1-storey/ 2-storey residential building	2-storey office/industrial building separated by a surface parking area

### **Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe**

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 Places to Grow Act was released on November 2005. The Growth Plan for the Greater Golden Horseshoe took effect June 16, 2006. The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe.

Provincial policies have been considered in the land use policies now in force in the Toronto Official Plan. City Council’s planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Pursuant to current provincial policies, the proposed developments for 33 and 52 Sumach Street, and 549 and 569 King Street East would be considered efficient in terms of development pattern. This provides for a higher residential development density, which optimizes the use of land while complementing the emerging context of adjacent development. They are in an area that includes the infrastructure required to support intensification in a compact and efficient form. In public transit terms, the sites are located on or in close proximity to transit priority segments (King Street East and Queen Street East) as identified in the Toronto Official Plan, Map 5, Surface Transit Priority Network, with accessible streetcar facilities.

The proposal is consistent with the PPS and Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The sites are located within the “Downtown and Central Waterfront” area, identified on Map 2 - Urban Structure and are designated "Mixed Use Area" on Map 18 - Land Use Plan of the Toronto Official Plan.

The Mixed Use Area designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. Other important policies include those in the "Downtown", "Public Realm", "Heritage", and "Built Form" sections of the Plan. The Toronto Official Plan is available on the City's website at: [www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

### **King-Parliament Secondary Plan**

The proposed development is also subject to policies and principles contained within the Mixed Use Area 'A' (Corktown) of the King-Parliament Secondary Plan. This section stipulates that a change of use on a lot from industrial or light industrial to residential or live/work uses alone or in combination is permitted, provided that the development meets certain criteria. The King-Parliament Secondary Plan is available on the City's website: [www.toronto.ca/planning/official\\_plan/pdf\\_secondary/15\\_king\\_parliament\\_june2006.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_june2006.pdf)

### **Zoning**

The former City of Toronto Zoning By-law 438-86, as amended, identifies 52 Sumach Street and 549 King Street East (inclusive of 33 Sumach Street) as I1 D3 and R3 Z1.0. These two land parcels have split industrial and residential district zoning permissions. The third land parcel, 569 King Street East, is zoned I1 D3. The I1 zoning classification permits non-residential uses and the R3 zoning classification permits residential uses. All three land parcels have a permitted building height of 12 metres.

### **Site Plan Control**

An application for Site Plan approval has been filed and appealed to the OMB.

## Tree Preservation

The applicant submitted an arborist report and tree preservation plan, prepared by Twigs & Trunks, dated stamped April 18, 2007 by the City Planning Division. The report identifies the type of tree and condition in relation to each of the three development sites. In the case of tree removal due to health, root damage, construction activity and poor location, the report suggest if planting of new trees is necessary and which tree will be impacted. Forestry staff have reviewed the submitted material and require the applicant to provide additional information, including the revision of their landscape plans to indicate acceptable new tree planting for both City and private trees and the provision of a continuous tree pit or turf for trees planted on the City road allowance.

## Reasons for the Application

The applicant, 549 King Street East Inc. (Streetcar Developments Inc.), seeks to amend the Official Plan, particularly subsection 9.2 of the King-Parliament Secondary Plan. This subsection states that “a change of use on an lot from industrial or light industrial to residential or live/work uses alone or in combination is permitted provided that: (a) in the case of the erection and use of a new building, the building does not exceed the height limit.”

The proposed construction of a five-storey residential building and two six-storey mixed use buildings exceeds the height permission of 12 metres and total density permissions (see Table 2).

**Table 2: Height and Density Details**

Location	Proposed Height (m), to top of mechanical penthouse	Zoning By-law Height (m)	Proposed Density	Zoning By-law Density
52 Sumach St Condominium	20.96 (17.38)*	12	3.02	Split lot density. 3 for industrial uses on front half of lot. 1 for residential uses on rear half of lot.
Townhouses	9.52			
549 King St E (and 33 Sumach St) Condominium	25.33 (21.46)*	12	3.56	Split lot density. 3 for industrial uses. 1 for residential uses on 33 Sumach land parcel.
Townhouses	10.44			
569 King St E	25.39 (21.62)*	12	4.37	3 for industrial uses

\*proposed height (metres), to top of roof including green roof, excluding mechanical penthouse

The applicant seeks to amend the Zoning By-law 438-86, as amended, to allow residential uses, particularly, on properties 549 and 569 King Street East and the eastern portion of 52 Sumach Street. Additional areas of non-compliance with the Zoning By-law, include, but are not limited to: building height, side lot setbacks, driveway access, residential amenity space, penetration of the angular plane and provision of a Type G loading space. The required relief from the various general zoning standards will be set out in a draft Zoning By-law.

## **Community Engagement**

A community consultation meeting on the Phase 1 proposals was held on June 26, 2007. Approximately 57 people attended the meeting and expressed comments and questions, including the overall design of the proposal, shadow impacts, garbage collection and the functionality of the proposed leasing of two City-owned land parcels for visitor parking. At the conclusion of the meeting, the Ward Councillor recommended a working group process to explore changes to the application, which focused on 52 Sumach Street.

The working group for 52 Sumach Street consisted of 19 representatives of local community stakeholders, City Planning staff and developer's team. This group met on two occasions, July 17, 2007 and August 13, 2007. Working group sessions were open to the public.

Working Group discussions on 52 Sumach Street resulted in revisions to the proposal's overall height (reduced from six to five-storeys) and built-form (45 degree angular plane along the front and rear frontages of the condominium from an elevation of 12 metres over the street line).

An information meeting was held for 549 and 569 King Street East (six-storey buildings) on January 16, 2008, for the Corktown community to provide further input and gather information on these two King Street East development sites.

## **Land Use and Built Form**

The sites are designated Mixed Use Area on Map 18 – Land Use Plan (August 2007) of the Toronto Official Plan. It is anticipated that Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Not all Mixed Use Areas will experience the same scale or intensity of development. The highest buildings and greatest intensity will typically occur Downtown. Development criteria in Mixed Use Areas are set out in Section 4.5 of the Official Plan and include the following:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this



- Plan, through means such as providing appropriate setbacks and/or a stepping down of heights;
- take advantage of nearby transit services;
  - locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
  - provide good site access and circulation and an adequate supply of parking for residents and visitors; and
  - locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

In addition to the Mixed Use Area development criteria and the desire to promote good design on its own merits; the Plan also emphasizes the manner in which the building and site fit within the context of the neighbourhood and City (Section 3.1.2 of the Official Plan). This is to be achieved in a number of ways including locating buildings parallel to the street with a consistent front yard set back, locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk, and by providing ground floor uses that have view into and, where possible, access to adjacent streets, parks and open spaces.

City Planning staff met with the applicant recently to review further refinements to improve set backs for all three condominium buildings, and improve the separation distances from adjacent properties. The applicant has agreed to these changes, but at the time of the drafting of this report and in the reduced plans attached, these revisions have not been received. These revisions are specifically itemized in the recommendations of this report.

## **Height and Massing**

The proposed height of the three condominium buildings (52 Sumach Street, 549 and 569 King Street East) to the main roof line including green roof are approximately 17, 21 and 22 metres, respectively. The proposed townhouses at 52 Sumach Street and 549 King Street East are approximately 10 metres in height.

Each of the proposed condominium buildings provide articulation at various levels along the street lines as well as a change in building finishing, which serves to reduce the building mass when viewed from the streets.

### **52 Sumach Street:**

A 45-degree angular plane is proposed along the front and rear frontages of the Sumach Street condominium from an elevation of 12 metres at the street line. The proposed setback at the 12-metre height occurs at an appropriate height relative to the height context of some similar scale buildings to the north in the surrounding building fabric. The original proposal consisted of a six-storey building with a proposed street wall height of approximately 21 metres with no setbacks.

### **549 and 569 King Street East:**

These two land parcel are subject to two exceptions in Sections 12(2)246 and 12(2)260 of the Zoning By-law. Section 12(2)260 which applies to the King Street East frontage limits the height of the buildings at the lot line to 16 metres, above which an angular plane of 44 degrees is to be maintained. Section 12(2)246 would generally require, in the case of a lot fronting on King Street East, a three metre setback above a height of 16 metres. However, Section 12(2)246(b) provides that this requirement does not apply to a lot, subject to Section 12(2)260.

In the case of these two buildings, the proposed King Street East street wall height is approximately 21 metres in height, with articulation of recessed balconies at approximately 12 metres to break up the building mass along its frontages. For 549 King Street East, the applicant is required to provide additional documentation to address safety and building code measures in relation to the site's proximity to the Toronto Transit Commission Sumach Street oil-filled transformer station.

The proposed heights and massing are appropriate for the sites and area in view of its context and location and results in minimum impacts on its surroundings.

## **Shadow**

The applicant has submitted a study comparing the shadows generated by this proposal and those generated by the current building mass. The resulting shadows can be examined at three levels: the site, immediate public realm and surrounding properties.

Throughout the community process, area stakeholders expressed a greater concern with the shadow impacts of the proposed Sumach Street condominium building than the two King Street East buildings. As a result, the applicant revised the Sumach Street building (January 2008) to reflect a reduction in height (five storeys from six storeys) and a stepping of the front and rear of the building. These subtle revisions resulted in an improved shadow condition.

In general, the resulting shadow impacts for the Phase 1 proposal are acceptable and appropriate within the context of the existing and approved buildings in the area and would satisfy the applicable Official Plan policies in Section 3.1.2.

## **Residential Amenity Space**

The Zoning By-law 438-86, as amended, requires 74, 96 and 92 square metres each of shared indoor and outdoor amenity space (two square metres per unit) for 52 Sumach Street, 549 King Street East and 569 King Street East, respectively.

The proposal includes indoor residential amenity space of 24, 31 and 14 square metres for 52 Sumach Street, 549 King Street East (33 Sumach Street) and 569 King Street East, respectively, which are amounts sufficient to provide a meeting room for residents of the various buildings. There is also a proposed shared outdoor amenity space on the rooftops of each of the proposed condominium buildings. Table 3 provides a breakdown of the required and provided amenity space per land parcel.

Staff find the proposal acceptable given the relatively small size of the buildings, the provision of indoor space for meeting rooms and that Phase 1 residents will also have access to 370 square metres of shared amenity space such as a fitness centre/ lounge provided on the Phase 2 land parcel.

**Table 3: Amenity Space Details**

<b>Amenity Space Details</b>	<b>Required</b>	<b>Provided</b>
52 Sumach Street		
Indoor (2 m <sup>2</sup> /unit)	74	77 (24)*
Outdoor (2 m <sup>2</sup> /unit)	74	75
549 King Street East		
Indoor (2 m <sup>2</sup> /unit)	96	31
Outdoor (2 m <sup>2</sup> /unit)	96	204
569 King Street East		
Indoor (2 m <sup>2</sup> /unit)	92	14
Outdoor (2 m <sup>2</sup> /unit)	92	135

\* The indoor amenity space for 52 Sumach Street will be reduced to 24 square metres for meeting room purposes, after the Phase 2 amenity space is built.

## **Access**

### **52 Sumach Street**

Access to the parking facility provided for 52 Sumach Street is proposed via a two-way driveway extending west off of Sumach Street. The submitted ground floor plan drawing shows a six-metre wide driveway with two-metre curb returns on both sides of the driveway. Traffic Planning staff have indicated that although the width of the driveway is satisfactory, two-metre driveway flares must be shown on the plans instead of curb returns. In addition, Traffic Planning staff also require further clarification as to how access to the parking facility will be controlled.

### **549 King Street East**

Access to the underground parking garage for 549 King Street East is proposed to be provided directly to and from Percy Street, a private lane extending south off of King Street East at the east limit of the site.

The applicant proposed to widen Percy Street from its existing width of 4.27 metres to 4.9 metres, which is not acceptable because this is not sufficient to accommodate two-way traffic. Accordingly, the width of Percy Street must be increased to a minimum width of five metres. Furthermore, it appears that the existing curb cut serving Percy Street will also need to be widened to a minimum width of five-metres, with two-metre driveway flares on both sides.

The submitted Planning Rationale Report indicates that in the event the use of Percy Street cannot be secured, access to and from the parking garage will be provided via a two-way driveway extending directly off of King Street East, immediately west of Percy Street. Given the existing TTC streetcar operations on King Street East and the proximity of the alternate site access to the King Street East/Sumach Street and King Street East/Percy Street intersections, this access arrangement is problematic.

Nonetheless, it is recognized that the owners of Percy Street cannot be compelled to grant access to the future owners of the site over Percy Street. In the event the need arises, it appears that there would be no alternative but to accept a new access point to King Street East. However, Traffic Planning staff have advised that a suitable separation between Percy Street and the site access in question must be provided and that this driveway would be restricted to in-right/ out-right operations only.

#### 569 King Street East

Access to the parking facilities provided for 569 King Street East is provided via an existing north-south private right-of-way that extends south off of King Street East at the east limit of the site. Although the right-of-way appears to be sufficiently wide to accommodate two-way traffic, the plans show this right-of-way operating as one-way southbound. Clarification regarding the useable width in which the owner holds a legal right of access over, as well as, the existing and proposed operations of these rights-of-way is required by Traffic Planning staff.

### **Parking**

A total of 75 on-site parking spaces, including 74 spaces for the use of residents and one space for the use of residential visitors, are proposed to serve this development. In addition to the on-site parking facilities, the applicant is also proposing to provide no less than eight residential visitor parking spaces and at least one car share parking space for the use of the future residents on the municipally-owned lot, referred to as Municipal Lot II. The resultant total parking supply of 84 parking spaces, including 74 spaces for the use of residents, nine spaces for the use of residential visitors, and one car share parking space satisfies the King-Parliament zoning by-law requirement, as far as can be ascertained, for a minimum of 80 parking spaces, including 72 spaces for the use of residents, and eight spaces for the use of residential visitors. Subject to the conditions noted below, the proposed parking supply is acceptable in principle.

In support of alternative arrangements to individually owning and operating private vehicles, the applicant is proposing to provide one car share parking space for the common use of the future Phase I residents. Under such an arrangement, a reduction from the minimum requirements of the zoning for ten resident parking spaces for each car share parking space provided is typically granted. Accounting for the car share reduction, a total of 75 parking spaces, including 64 spaces for the use of residents, ten spaces for the use of residential visitors, and one car share parking space would be required.

The details of the proposed car share arrangement are outlined in the Planning Rationale Report, dated April 5, 2007, which has been submitted in support of this application.

Notably, the applicant has agreed to cover the one-time registration fee for each of the first-time residents.

With respect to the on-site parking supply, the plans indicate that parking will be allocated as follows: 20 spaces will be provided in a single-level underground parking garage for 52 Sumach Street; 31 spaces will be provided in a two-level underground parking garage for 549 King Street East; and 23 spaces will be provided in surface and below grade parking facilities for 569 King Street East. While the parking provided for each of the proposed buildings does not necessarily satisfy the minimum parking requirements of the zoning, it is understood that the three buildings proposed will be considered one development site, and as such, the deficiency of parking provided for one building can be accommodated in another. Parking in each parking garage should therefore be made available for purchase to all of the future residents, and not restricted in any manner.

With respect to the off-site car share parking space and residential visitor parking spaces the proposed off-site residential visitor and car share parking spaces would be acceptable in principle. This is provided that the applicant enter into a lease agreement, on terms and conditions deemed satisfactory by the Facilities and Real Estate Division, City Solicitor, and General Manager of Transportation Services, to secure the use of the municipally-owned lots for a period of no less than 15 years. In the event a lease agreement cannot be negotiated for the use of the municipally-owned properties, the on-site parking supply must be increased to accommodate the minimum parking requirements of the Zoning By-law 438-86, as amended.

### **Loading and Solid Waste**

The applicant initially proposed to provide one centralized Type G loading space, located off-site at the Sumach Street City-leased parking lot near the Richmond Street East and Adelaide Street East overpass, to serve the loading demand generated by all three buildings. However, due to comments received from Structures and Expressways Section staff relating to insufficient clearance from the Richmond Street East and Adelaide Street East overpass structures to allow for overhead bulk lift activities to safely occur on the City-leased parking lot, the off-site loading space was reconsidered by the applicant and is now proposed on the Phase 2 land parcel.

The logistics of the refuse collection arrangements are detailed in Section 3.17 of the Planning Rationale Report, submitted by the applicant. In brief, the proposed off-site loading arrangements have been developed in response to the site constraints imposed by each of the three properties, and the inability of each of the proposed buildings to viably accommodate a Type G loading space on each site.

Despite the absence of on-site loading facilities, refuse and recyclable materials will be stored on each of the properties and transported several times during the week via private refuse collection vehicles to the off-site loading facility (on Phase 2). According to the material submitted, the private refuse collection firms currently under consideration by

the developer are capable of using trucks that can collect the refuse and recyclable materials within each of the underground parking garages adjacent to the garage rooms.

This method of collection will be used for all buildings with the exception of 569 King Street East, where the collection bins will occur at the rear of the site from within the east-west private right-of-way. Upon collection, the refuse and recyclable material bins will be transported to the off-site loading facilities and stored within a temporary storage facility unit such time as City refuse collection vehicles arrive to empty the bins.

Based on discussions with the Solid Waste Services Division, and subject to certain access related and safety consideration being addressed, it is understood that there would be no objection in principle to City garbage trucks collecting residential refuse and recyclable materials from a centralized off-site loading facility.

## **Servicing**

The applicant has satisfied Technical Services staff that the existing municipal infrastructure has adequate capacity to support the development proposal in terms of storm and sanitary drainage. The costs of any municipal service upgrades if required to support the development will be borne by the applicant.

## **Toronto Green Development Standard**

The Green Development Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto.

The Green Development Standard contains 27 basic performance targets by which development may be measured to determine its effective relative sustainability in Toronto (plus an additional 7 which are conditionally applicable). The GDS has a further 28 performance targets that enhance a development's sustainability factor. The GDS checklist submitted by the applicant indicates that the proposed development is intended to meet or exceed 23 basic performance targets and achieve 17 enhanced targets. Some of the targets proposed to be met include:

- the primary entrance of the proposed building is within 200 metres of a transit stop and direct integration with existing pedestrian routes;
- dedicated parking spaces for carpooling or car sharing;
- where the developer is supplying appliances, 70% are Energy Star compliant
- 75% or more of non-hazardous construction and demolition debris salvaged or recycled; and
- green roof installed with at least 50% coverage of the roof. The rest of the available roof space will be covered with light coloured roofing materials.

## **Development Charges**

It is estimated that the development charges for this project will be approximately \$740,000. The actual charge is assessed and collected upon issuance of the building permit.

## **CONCLUSION**

City Planning is supportive of the Official Plan and Zoning By-law amendments and Site Plan application appeals, in principle, subject to the resolution of all outstanding technical issues and design-related revisions.

It is City Planning staff's opinion that given the sites' location and their relative proximity to the downtown, the sites are a good location for some residential intensification, which are well served by municipal infrastructure including public transit.

Since the appeal, the applicant has submitted a revised proposal (January 2008) reflecting some of the comments received from City staff. Appropriate agencies and City divisions are currently evaluating the revised submission. City staff are continuing to work with the applicant in an effort to resolve as many of the outstanding issues as possible prior to the OMB pre-hearing scheduled for April 17, 2008.

## **CONTACT**

Gregory Pereira, MCIP, RPP  
Planner, Downtown Section  
Tel. No. (416) 392-7363  
Fax No. (416) 392-1330  
E-mail: gpereir@toronto.ca

## **SIGNATURE**

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

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## **ATTACHMENTS**

Attachment 1: Application Data Sheets  
Attachment 2: Site Plan Drawings  
Attachment 3: Elevation Drawings  
Attachment 4: Official Plan Excerpt  
Attachment 5: Zoning By-law Excerpt

## Attachment 1: Data Application Sheets

Application Type	Official Plan Amendment & Rezoning	Application Number:	07 142879 STE 28 OZ
Details	OPA & Rezoning, Standard	Application Date:	April 5, 2007
Municipal Address:	<b>549 King Street East and 33 Sumach Street</b>		
Project Description:	A six-storey mixed-use building with 4 three-storey townhouses		

<b>Applicant:</b>	<b>Architect:</b>	<b>Owner:</b>
Streetcar Developments Inc., Attn: Les Mallins	Quadrangle Architects Limited	549 King Street East Inc.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use	Site Specific Provision:
Zoning:	I1 D3, R3 Z1.0	Historical Status:
Height Limit (m):	12	Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq. m):	1328.7	Height:	Storeys:	6
Frontage (m):	29.94		Metres:	21.2
Depth (m):	47.6			
Total Ground Floor Area (sq. m):	1006.06			<b>Total</b>
Total Residential GFA (sq. m):	4214		Parking Spaces:	29
Total Non-Residential GFA (sq. m):	512		Loading Docks	0
Total GFA (sq. m):	4726			
Lot Coverage Ratio (%):	75.7			
Floor Space Index:	3.56			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	9
1 Bedroom:	23
2 Bedroom:	12
3 + Bedroom: townhouse	4
Total Units:	48

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	4214	0
Retail GFA (sq. m):	512	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Gregory Pereira, Planner, Downtown Section</b>
	<b>TELEPHONE:</b>	<b>(416) 392-7363</b>



Application Type                      Official Plan Amendment &                      Application Number:    07 142879 STE 28 OZ  
 Details                                      OPA & Rezoning, Standard                      Application Date:            April 5, 2007  
 Municipal Address:                      **569 King Street East**  
 Project Description:                      A six-storey mixed-use building.

**Applicant:**                                      **Architect:**                                      **Owner:**  
 Streetcar Developments                      Quadrangle Architects                      549 King Street East Inc.  
 Inc., Attn: Les Mallins                      Limited

**PLANNING CONTROLS**

Official Plan Designation:    Mixed Use                                      Site Specific Provision:  
 Zoning:    I1 D3    Historical Status:  
 Height Limit (m):                      12    Site Plan Control Area:    Yes

**PROJECT INFORMATION**

Site Area (sq. m):	830.73	Height:	Storeys:	6
Frontage (m):	27.37		Metres:	21.4
Depth (m):	30.48			
Total Ground Floor Area (sq. m):	740			<b>Total</b>
Total Residential GFA (sq. m):	3195.93		Parking Spaces:	25
Total Non-Residential GFA (sq. m):	430.86		Loading Docks	0
Total GFA (sq. m):	3627.31			
Lot Coverage Ratio (%):	89.08			
Floor Space Index:	4.37			

**DWELLING UNITS**

Tenure Type:                      Condo  
 Rooms:                                      0  
 Bachelor:                                      21  
 1 Bedroom:                                      25  
 2 Bedroom:                                      0  
 3 + Bedroom:                                      0  
 Total Units:                                      46

**FLOOR AREA BREAKDOWN** (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	3195.93	0
Retail GFA (sq. m):	430.86	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT:**                      **PLANNER NAME:**                      **Gregory Pereira, Planner, Downtown Section**  
**TELEPHONE:**                      **(416) 392-7363**

Application Type                      Official Plan Amendment &                      Application Number:    07 142879 STE 28 OZ  
 Details                                      OPA & Rezoning, Standard                      Application Date:            April 5, 2007  
 Municipal Address:                      **52 Sumach Street**  
 Project Description:                      A five-storey residential building and 3 three-storey townhouses

**Applicant:**                                      **Architect:**                                      **Owner:**  
 Streetcar Developments                      Quadrangle Architects                      549 King Street East Inc.  
 Inc., Attn: Les Mallins                      Limited

**PLANNING CONTROLS**

Official Plan Designation:    Mixed Use                                      Site Specific Provision:  
 Zoning:    I1 D3, R3 Z1.0                                      Historical Status:  
 Height Limit (m):                              12    Site Plan Control Area:    Yes

**PROJECT INFORMATION**

Site Area (sq. m):	1166.41	Height:	Storeys:	5
Frontage (m):	23.73		Metres:	17
Depth (m):	43			
Total Ground Floor Area (sq. m):	941.7			<b>Total</b>
Total Residential GFA (sq. m):	3518.78		Parking Spaces:	24
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	3518.78			
Lot Coverage Ratio (%):	81.22			
Floor Space Index:	3.02			

**DWELLING UNITS**

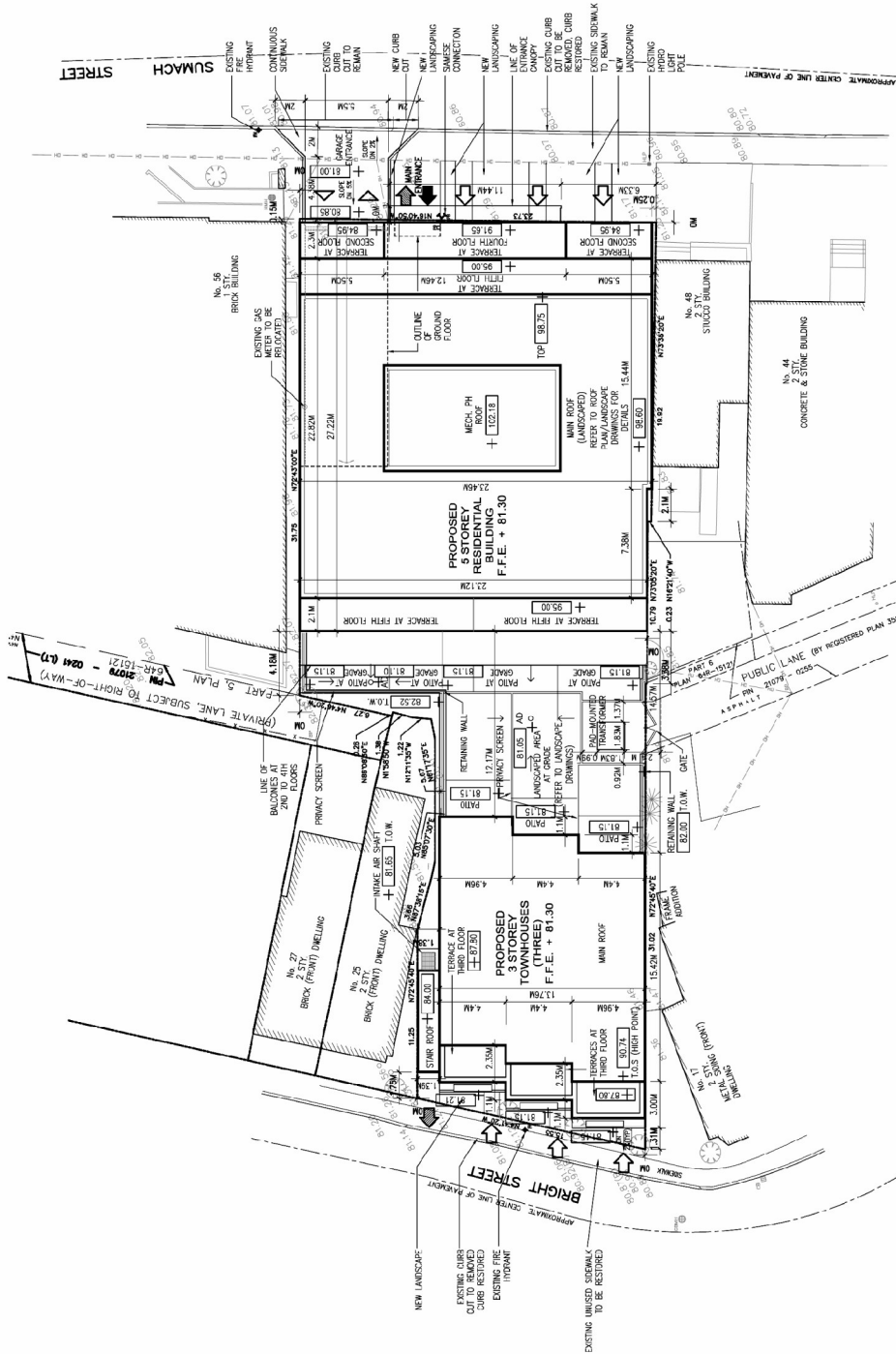
Tenure Type:                                      Condo  
 Rooms:    0  
 Bachelor:    8  
 1 Bedroom:    27  
 2 Bedroom:    2  
 3 + Bedroom: townhouses                      3  
 Total Units:    40

**FLOOR AREA BREAKDOWN** (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	3518.78	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT:**                                      **PLANNER NAME:**                                      **Gregory Pereira, Planner, Downtown Section**  
**TELEPHONE:**                                      **(416) 392-7363**

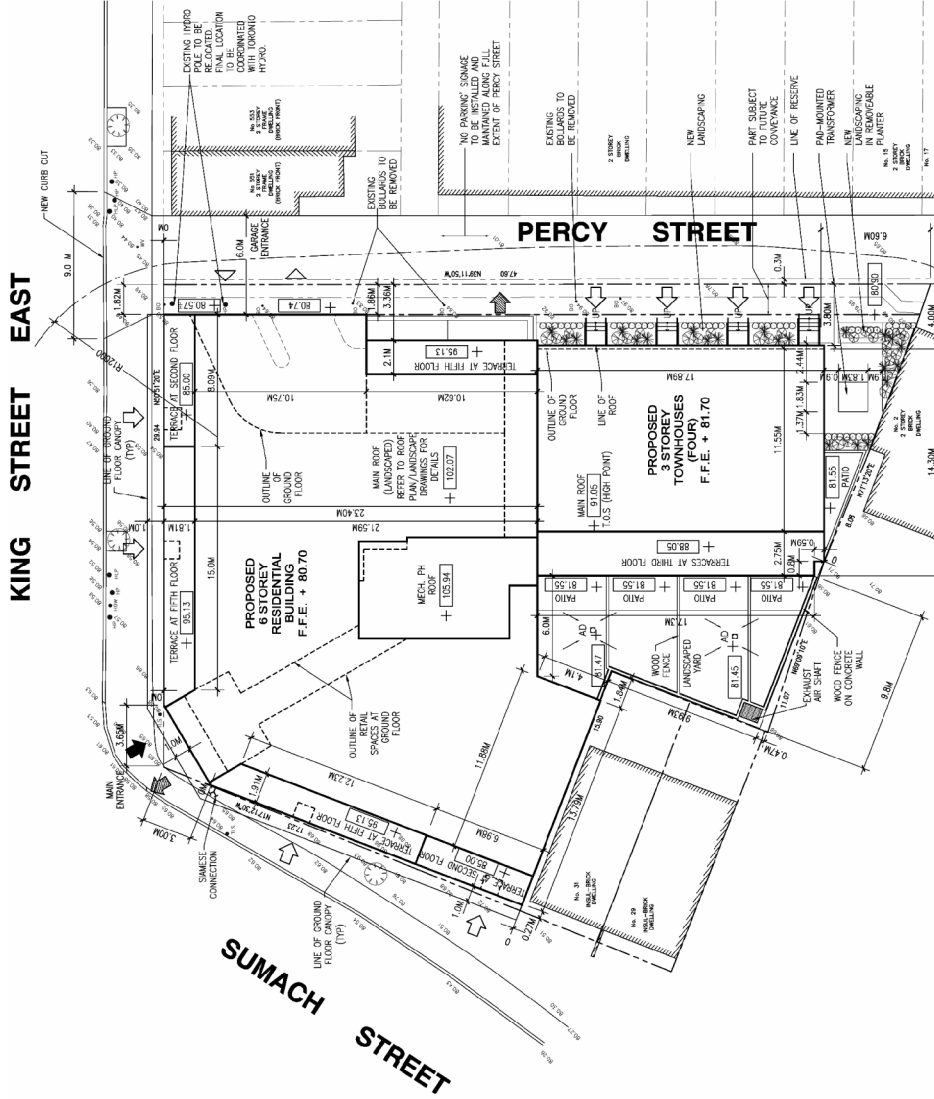
# Attachment 2: Site Plan Drawings



52 Sumach Street

File # 07\_142879

Site Plan  
 Applicant's Submitted Drawing  
 Not to Scale  
 02/29/08

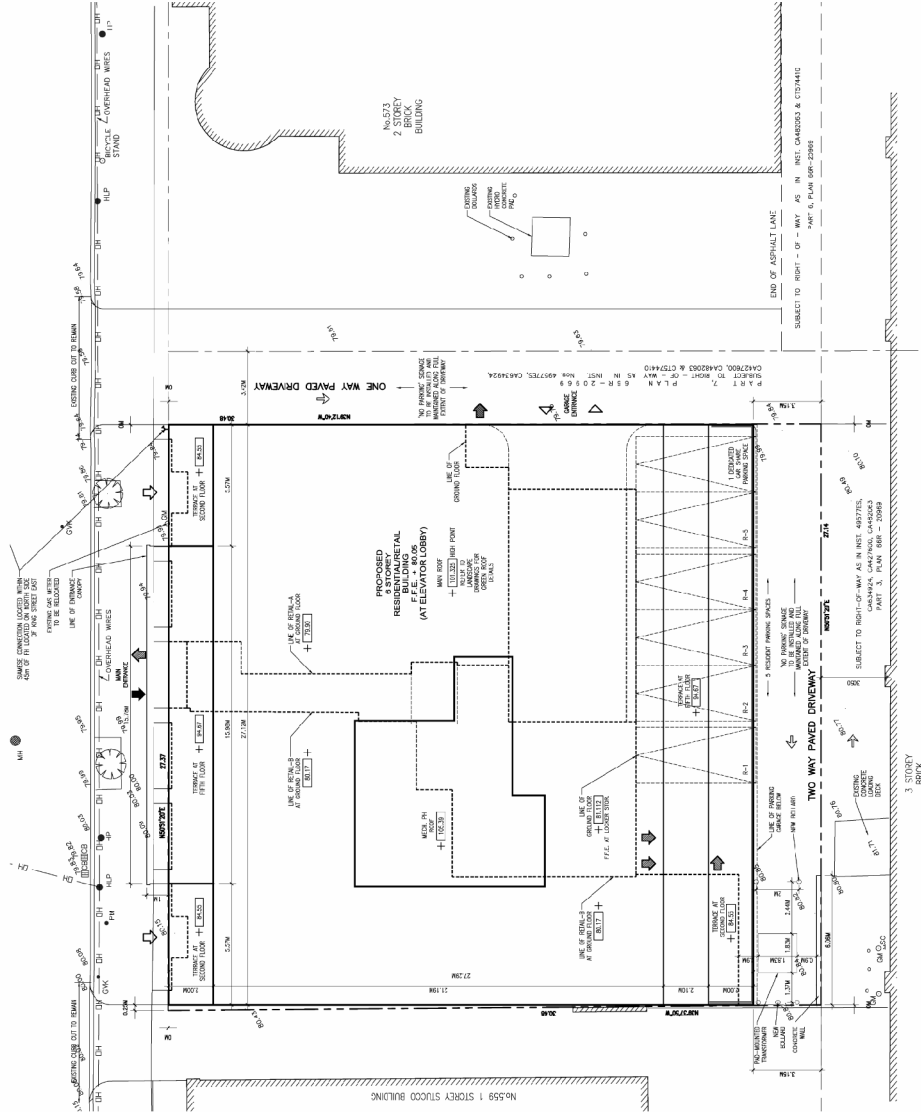


# Site Plan

Applicant's Submitted Drawing

Not to Scale  
03/04/08

File # 07\_142879



# 569 King Street East

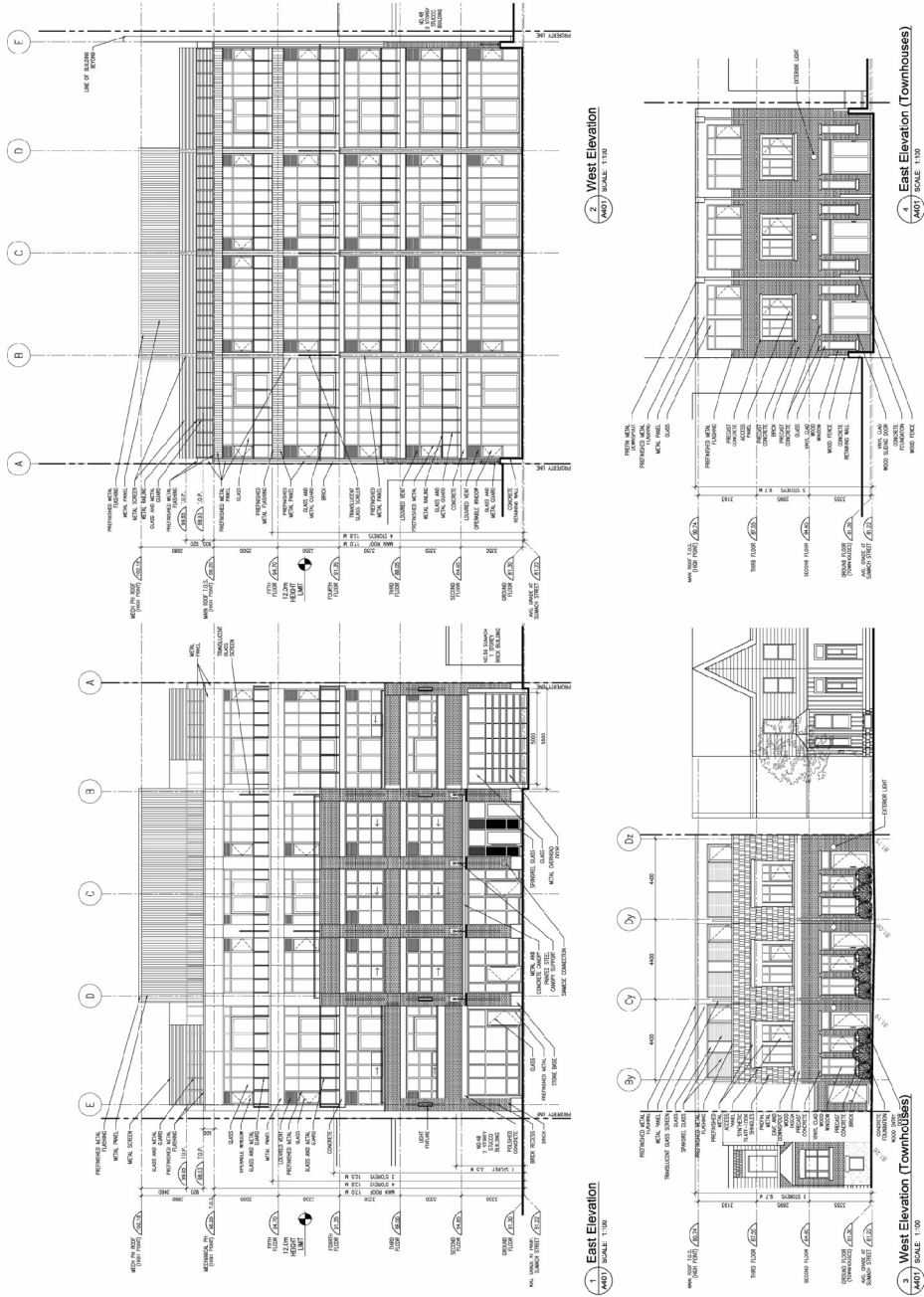
**Site Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 03/04/08

File # 07\_142879



# Attachment 3: Elevation Drawings



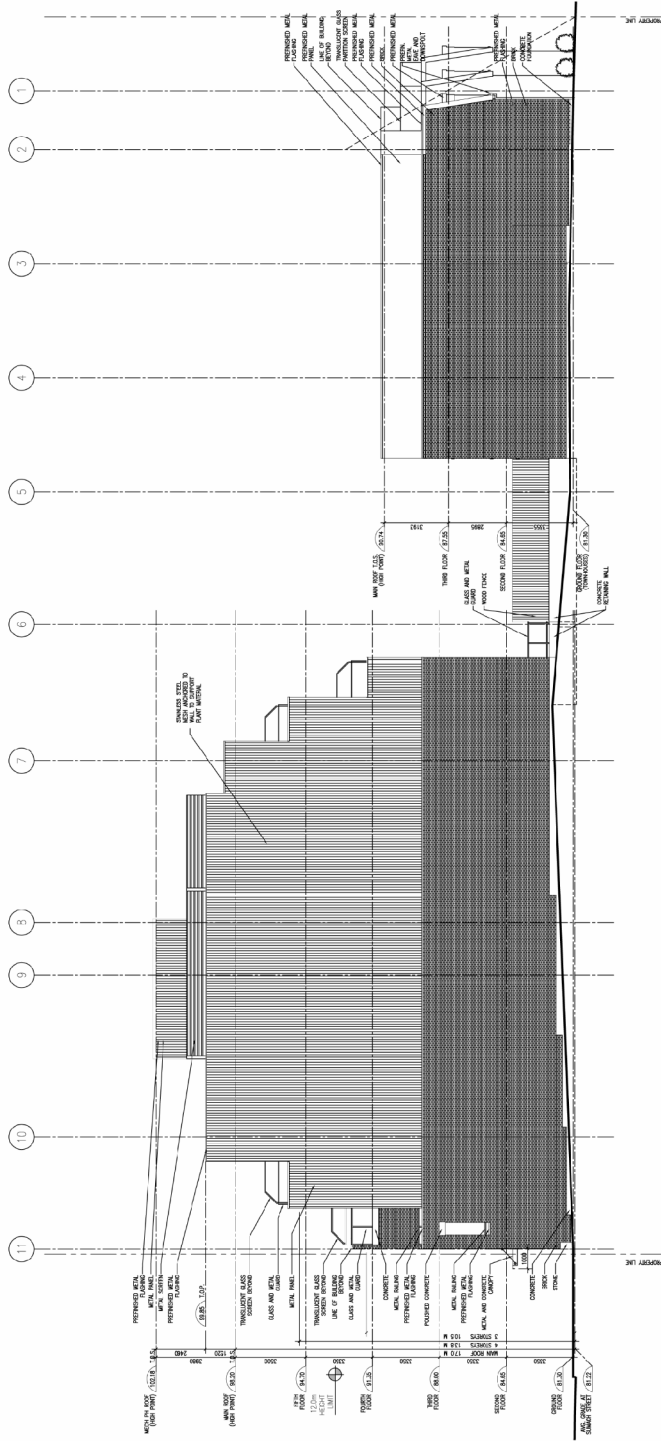
52 Sumach Street

East & West Elevations

Applicant's Submitted Drawing

Not to Scale  
02/29/08

File # 07\_142879

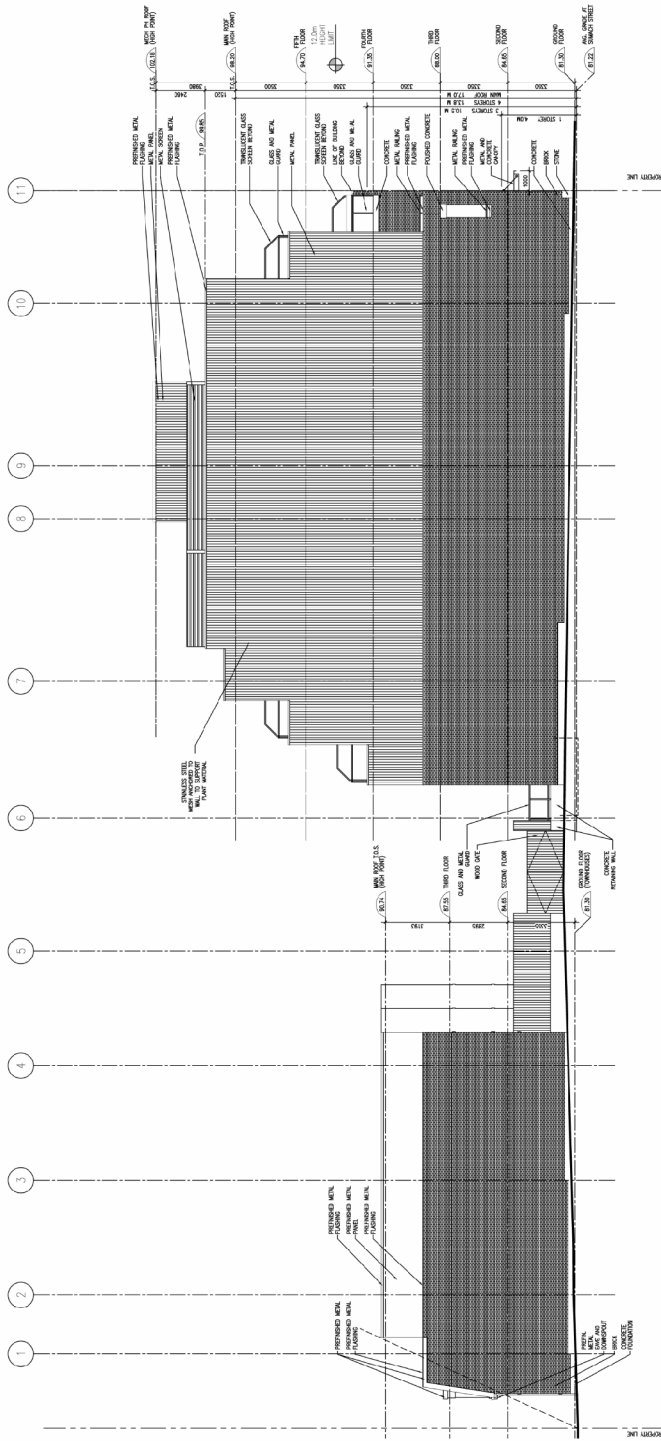


52 Sumach Street

North Elevation  
 Applicant's Submitted Drawing

File # 07\_142879

Not to Scale  
 02/29/08



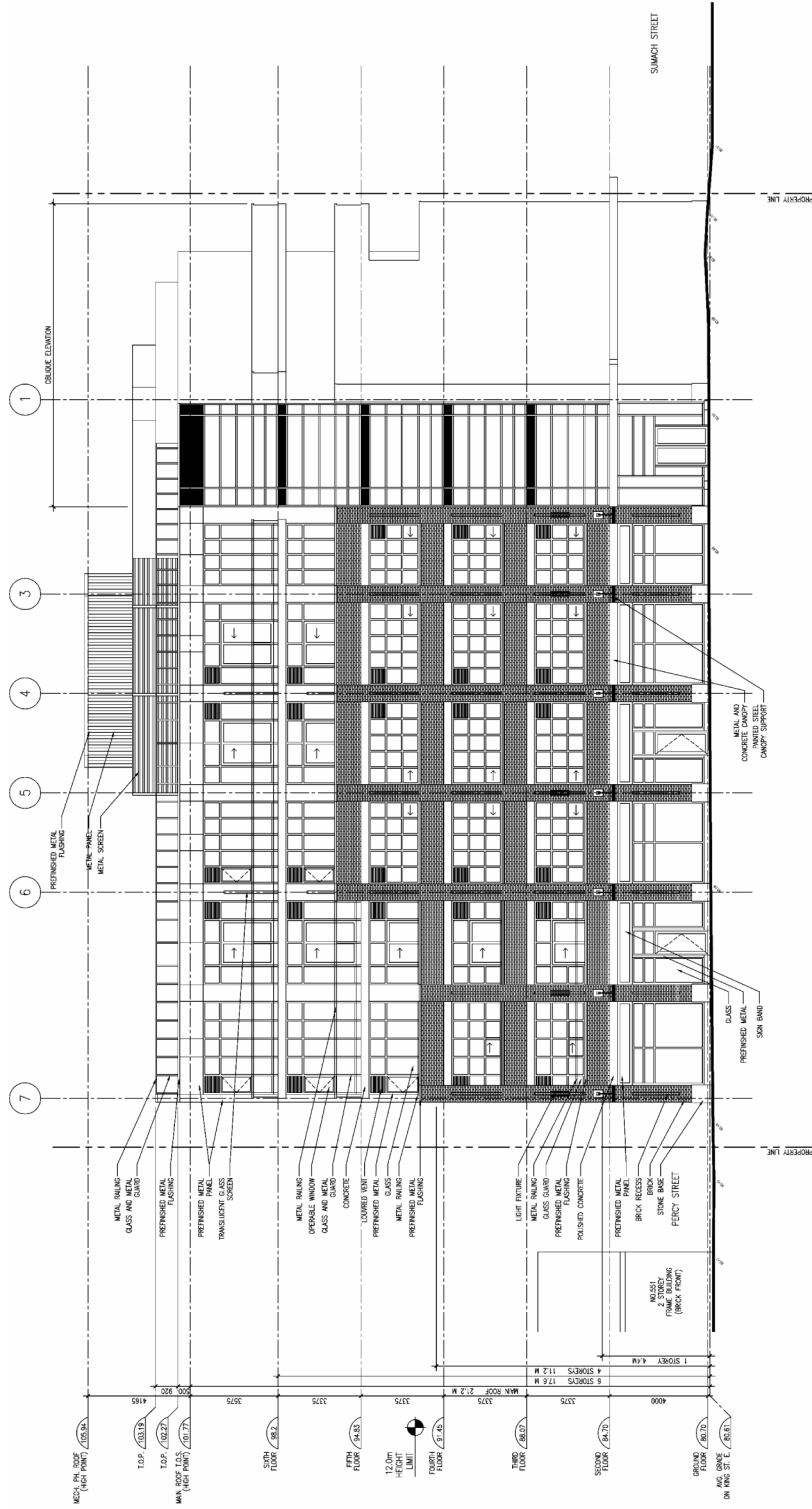
**52 Sumach Street**

**South Elevation**  
 Applicant's Submitted Drawing

Not to Scale  
 02/29/08

File # 07\_142879





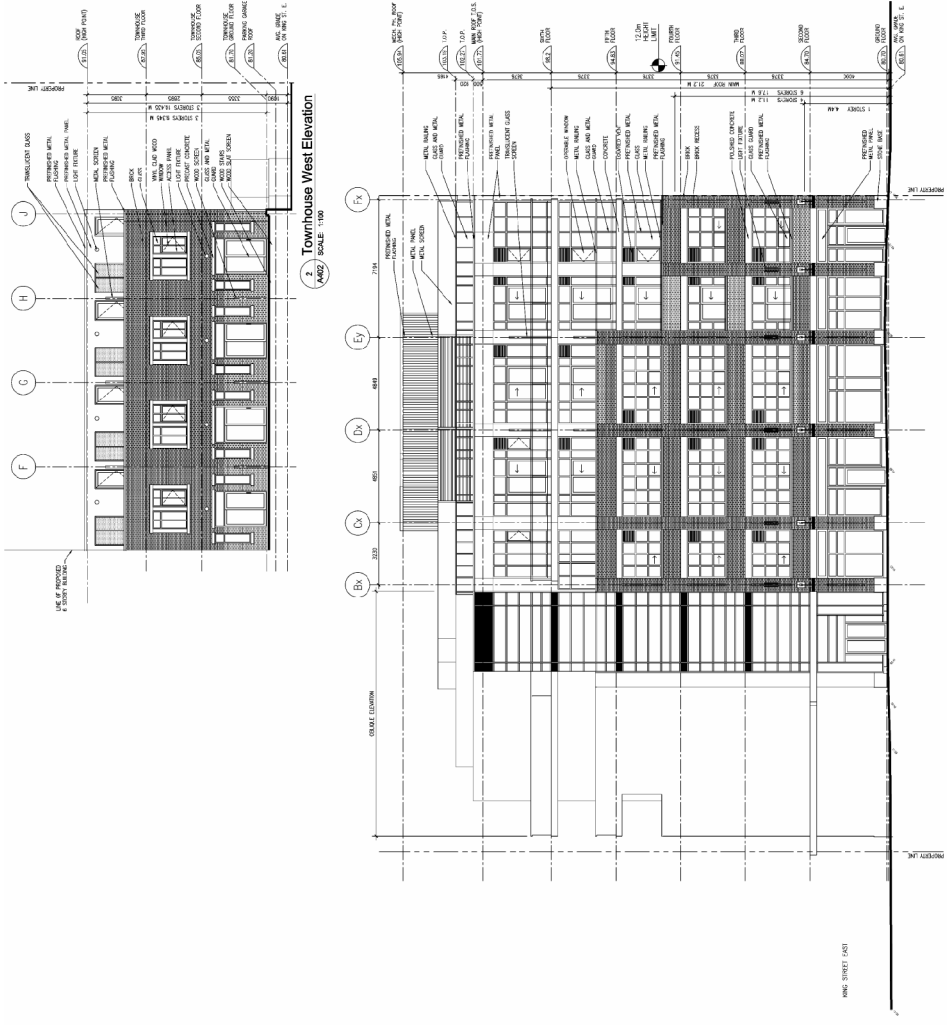
33 Sumach St and 549 King Street East

North Elevation

Applicant's Submitted Drawing

Not to Scale  
03/04/08

File # 07\_142879



**West Elevation**

Applicant's Submitted Drawing

Not to Scale  
03/04/08

**33 Sumach St and 549 King Street East**

File # 07\_142879



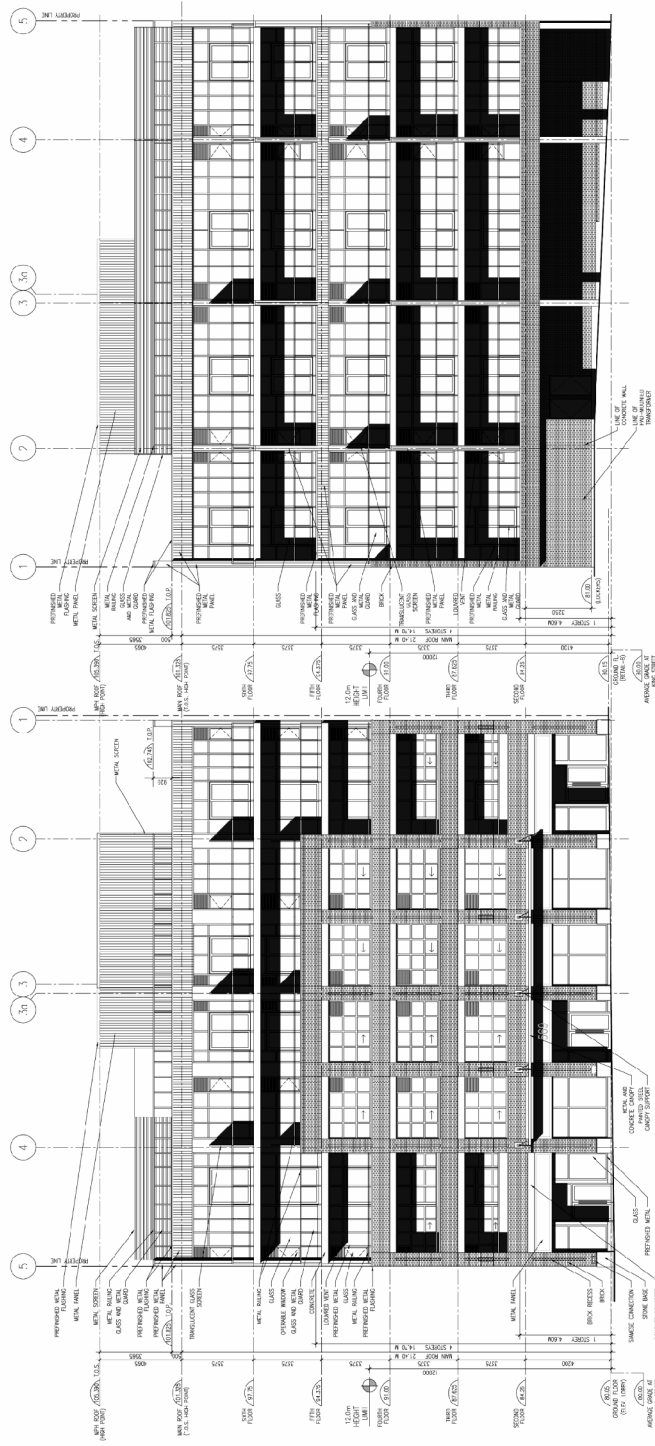


33 Sumach St and 549 King Street East

East Elevation  
 Applicant's Submitted Drawing

Not to Scale  
 03/04/08

File # 07\_142879



South Elevation

North Elevation

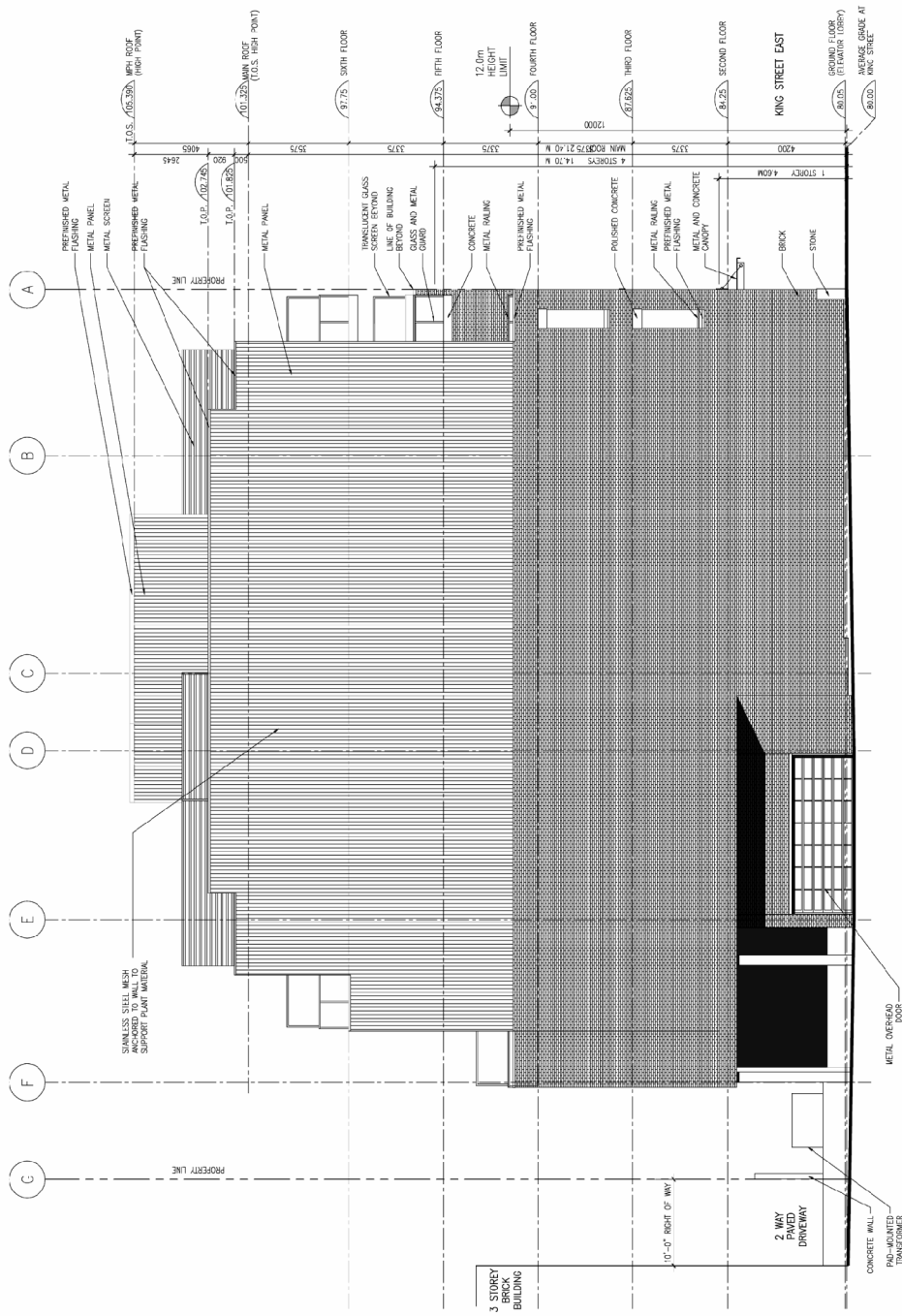
**569 King Street East**

**North & South Elevations**

Applicant's Submitted Drawing

Not to Scale  
03/04/08

File # 07\_142879



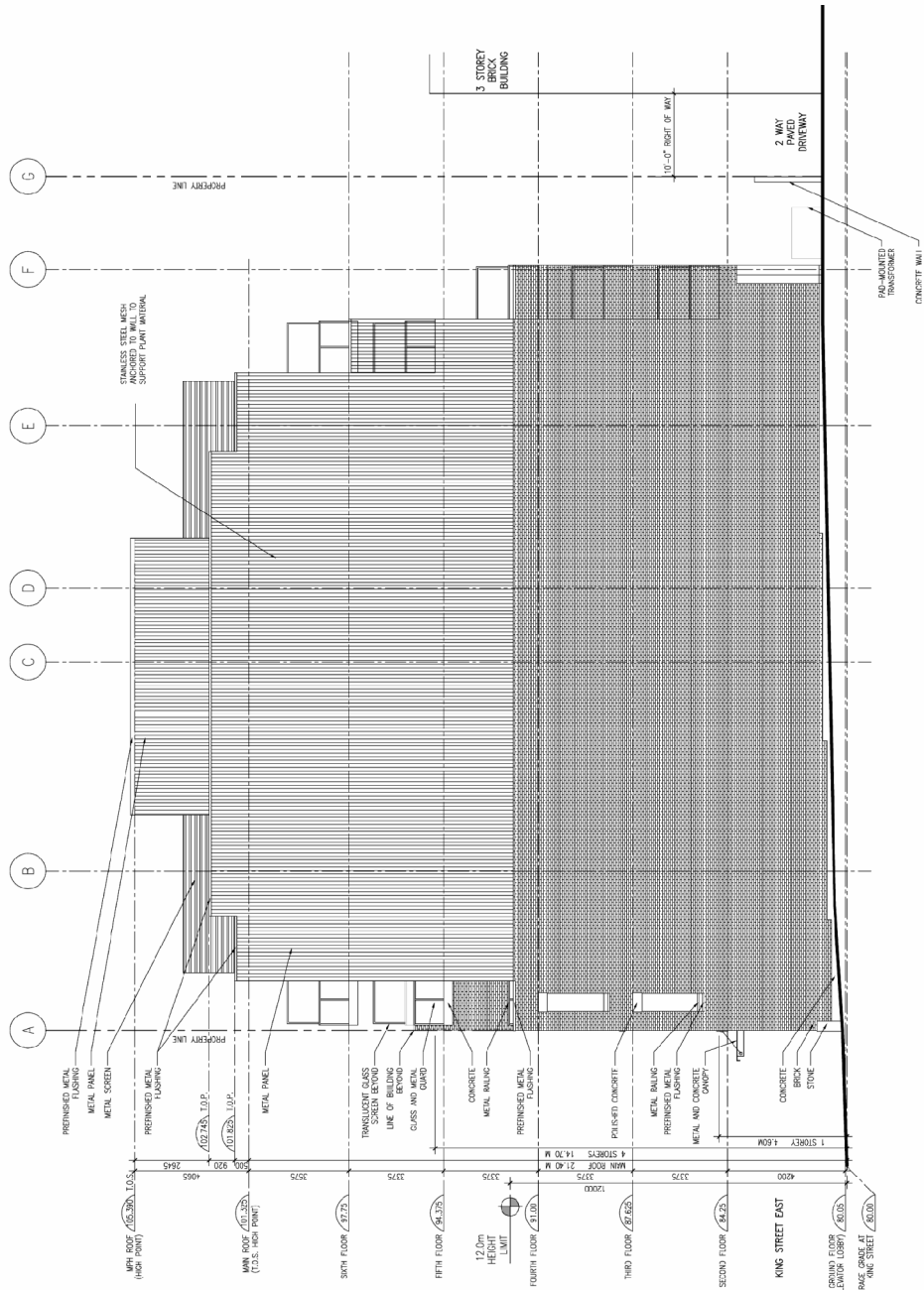
# 569 King Street East

# East Elevation

Applicant's Submitted Drawing

Not to Scale  
03/04/08

File # 07\_142879



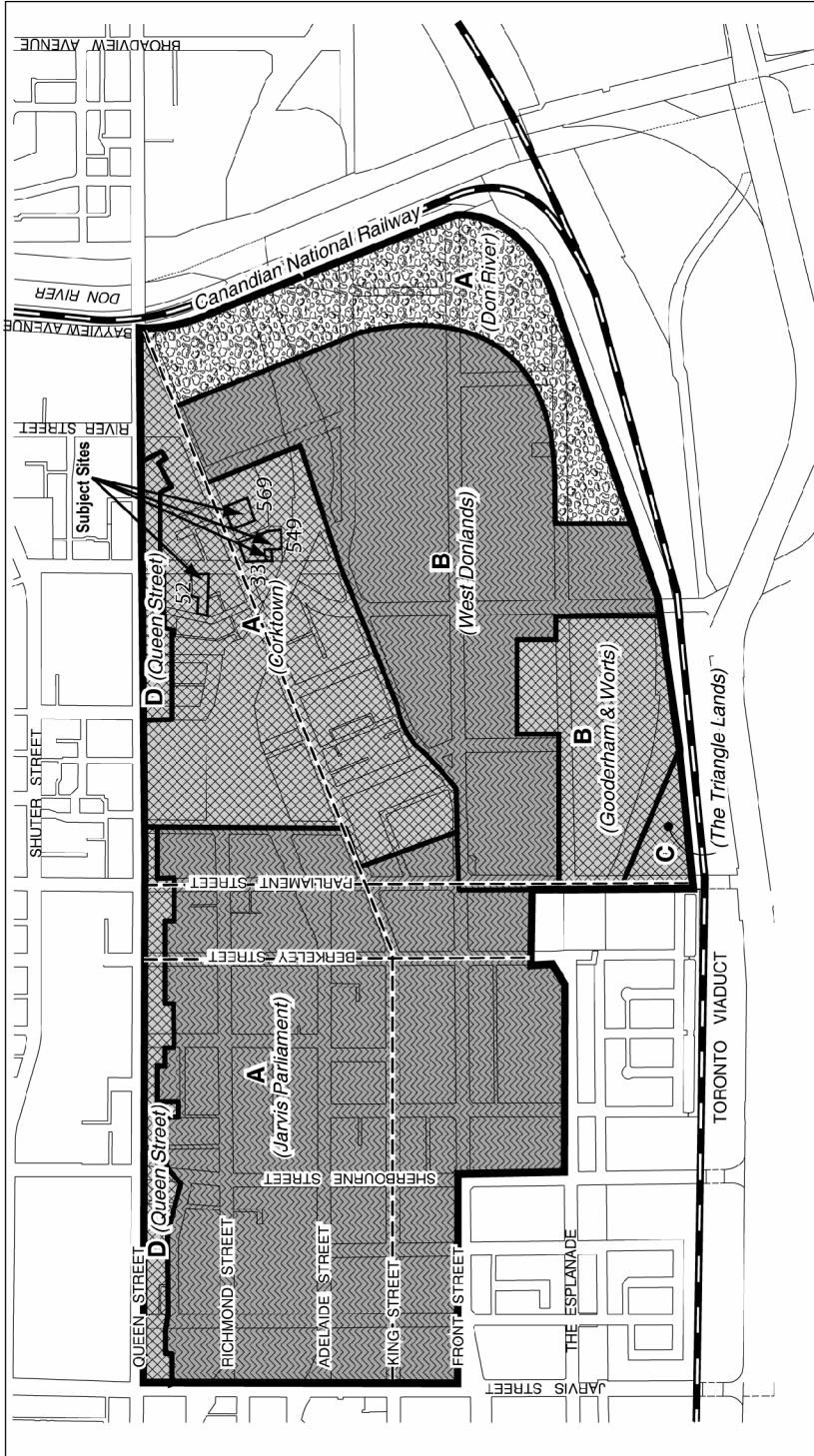
**569 King Street East**

**West Elevation**  
 Applicant's Submitted Drawing

Not to Scale  
 03/04/08

File # 07\_142879

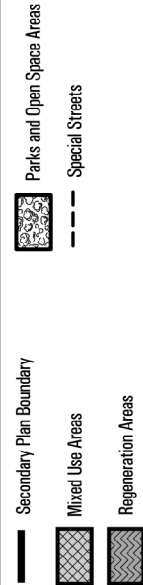
Attachment 4: Official Plan Excerpt (Current)



33 & 52 Sumach Street, and 54 & 569 King Street East

**Toronto** City Planning  
**King-Parliament Secondary Plan**  
 MAP 15-1 Land Use Plan June 2006

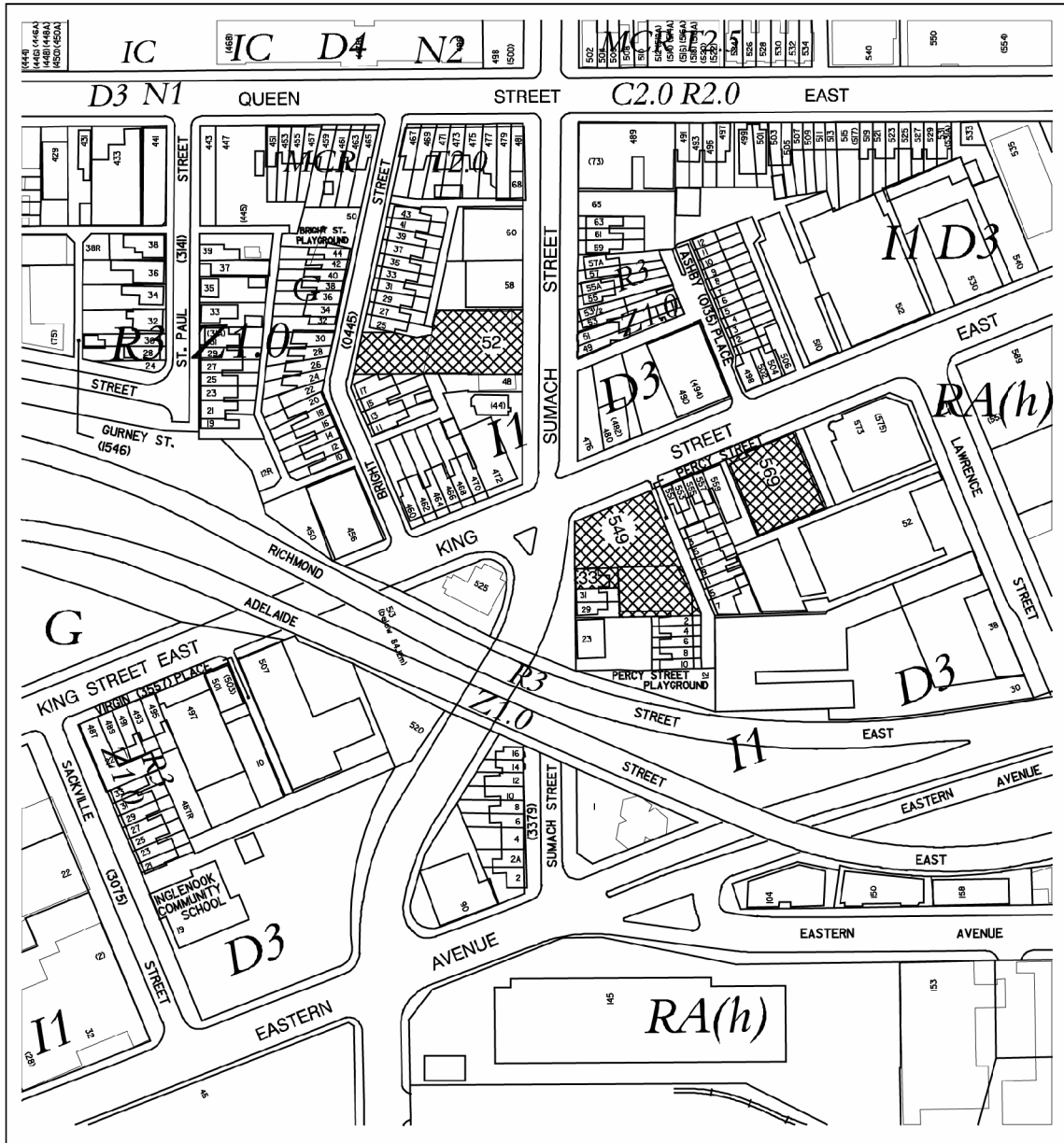
File #07\_142879



↑  
 Note to Scale  
 06/03/07



## Attachment 5: Zoning By-law Excerpt (Current)



**33 & 52 Sumach Street, & 549 & 569 King Street East**

File # 07\_142879

G	Parks District	RA	Mixed-Use District	I1	Industrial District
R3	Residential District	MCR	Mixed-Use District	IC	Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/01/07 - NRS