

**357-363 King Street West and 62 Peter Street - Rezoning Application - Preliminary Report**

<b>Date:</b>	November 26, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	10 192451 STE 20 OZ

**SUMMARY**

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

This application proposes to amend the former City of Toronto Zoning By-law 438-86 and comprehensive Zoning By-law No. 1156-2010 to permit the development of a 40-storey mixed-use building containing 242 residential units. Approximately 212 square metres of retail area is proposed at grade with access to both King Street West and Blue Jays Way. On-site parking is to be provided in a six (6) level underground parking garage.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.



## **RECOMMENDATIONS**

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

1. Staff be directed to schedule a community consultation meeting for the lands at 357-363 King Street West and 62 Peter Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

There have been no recent development applications filed on the subject properties.

### **Pre-Application Consultation**

A pre-application consultation meeting was not held with the applicant to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes the development of a 40-storey mixed-use building (126.4 metres, excluding mechanical) containing 242 residential units. The building will be composed of a six storey base building with a floorplate of between 758 and 763 square metres at a height of approximately 19 metres. The proposed tower has variable stepbacks between the 7<sup>th</sup> and 40<sup>th</sup> floors with a floor plate of between 620 and 610 square metres. The mechanical elements of the building would add another 6 metres in height for an overall height of approximately 132 metres.

The proposed gross floor area of the development is 24,089 square metres. The proposed residential gross floor area is 23,877 square metres and the non-residential gfa is 212 square metres, resulting a floor space index of 30.8. The proposed unit mix consists of 91 one-bedroom units, 72 one-bedroom plus den, 65 two-bedroom units, and 14 two bedroom plus den units for a total of 242 units. The proposed development also provides the potential to create 25 three bedroom units. A total of 138 parking spaces are

proposed in a six (6) level underground parking garage. Two hundred and forty-two bicycle parking spaces are proposed. Vehicular access to parking and loading is proposed to the rear of the site from an existing public laneway off Blue Jays Way. See Attachment 6 – Application Data Sheet.

## **Site and Surrounding Area**

The site is located at the southwest corner of King Street West and Blue Jays Way. The site has a frontage of approximately 21.2 metres on King Street West and approximately 36.3 metres on Blue Jays Way. The site has an area of approximately 782 square metres. There is a public lane which runs along the south edge of the site that will be used for vehicular access for parking and loading.

The site is currently occupied by a one storey building.

The site is surrounded by the following uses:

**North:** The northern edge of the site is defined by King Street West. On the north side of King Street West opposite the subject site on the west side of Peter Street is a one to two storey commercial building occupied by a Shoppers Drug Mart, Mountain Equipment Coop and a coffee shop. On the northeast corner of Peter Street and King Street West is the 20 storey Hyatt Regency Hotel.

**South:** To the south of the subject site is a public laneway, opposite which is the site of a proposed 41 storey mixed-use building at 56 Blue Jays Way (the site-specific By-law amendment to permit the development has been approved).

**West:** To the west of the subject site are two-storey commercial buildings at 395, 367 and 369 King Street West. To the west of these buildings is a 34 storey mixed-use building at 371, 373-377 and 379 King Street West, which is under construction.

**East:** The eastern edge of the site is defined by Blue Jays Way. On the east side of Blue Jays Way opposite the subject site are commercial parking lots and the six storey Westinghouse Building. These properties are the location of the recently approved development at 355 King Street and 119 Blue Jays Way, which features two towers at 42 and 47 storeys.

## **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 new 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 the policies of Section 3 - Built Form specify that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression.

## **Zoning By-law 438-86**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 3 - Zoning Map, By-law No. 438-86). 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.

## **Zoning By-law 1156-2010**

At its meeting on August 25-27, 2010, City Council enacted a new City-wide comprehensive Zoning By-law (By-law No. 1156-2010). This By-law was enacted to reflect the City's Official Plan as required by the *Planning Act*. The subject site is zoned as Commercial Residential Employment Zone (CRE) in By-law No. 1156-2010 (see Attachment 4 - Zoning Map, By-law No. 1156-2010). The purpose of the CRE

(Commercial Residential Employment) Zone is to provide a range of retail, service commercial, office, residential and limited industrial uses in single use buildings and mixed use buildings.

Exception 80 (x80) indicates that certain site-specific zoning by-laws will prevail on individual sites within the exception area. The site is not subject to any prevailing site specific Zoning By-laws.

### **City of Toronto Tall Building Guidelines**

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

### **King-Spadina East Precinct Built Form Study**

The findings of the King-Spadina East Precinct Built Form Study include the principle that heights decrease generally from east to west (University Avenue to Spadina Avenue), and from south to north (Front Street to Queen Street). Within this general height trend are areas of localized conditions. The subject site is within the King Street Corridor identified by the Built Form Study.

The subject site is also located within an area where buildings with additional height beyond the “First Tier” or as-of-right heights as provided in By-law 483-86 are to be considered. Applications for buildings with “Second Tier” height permissions are to be considered in light of the policy objectives in the King-Spadina planning framework as well as the built form standards that apply to any tall building development in the City, including but not limited to: respect for heritage in the immediate context; preservation of sunlight on important pedestrian streets (including King Street West); conformity with the King-Spadina Built Form Guidelines; and achieving a 25 metre tower separation and a maximum 750 square metre floor plate to address light, view and privacy.

### **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 30 metres by approximately 102 metres, resulting in a proposed building height of 132 metres inclusive of the mechanical penthouse. In addition, the proposed building does not comply with other restrictions that are in effect on the lands.

The built form policies of the King-Spadina Secondary Plan set out a policy framework that results in a built form and massing which is complementary to the historic physical fabric of the area. 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**

### **Application Submission**

The following reports/studies were submitted with the application: Planning Rational; Shadow Study; Boundary Plan of Survey; Topographical Survey; Architectural Plans; Context Plan; Concept Site and Landscape Plan; Underground Garage Plan; Tree Declaration; Urban Transportation Study; Storm Water Management Report; Preliminary Servicing Report; Noise Impact Study; Stage 1 Archaeological Assessment; Green Standards Checklist; and Pedestrian Wind Study.

A Notification of Complete Application letter was issued on August 4, 2010.

### **Issues to be Resolved**

The subject property is located within the King-Spadina Secondary Plan, East Precinct area. The Toronto Entertainment District BIA has completed a Master Plan for their boundaries, which includes this area.

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 resulting shadow impacts on the King Street West public realm and properties in the vicinity;
4. Traffic, parking, site servicing, and impacts on the pedestrian realm that may result from the intensity and scale of the proposed development;
5. Additional areas of non-compliance with the applicable Zoning By-laws may be identified through further review of the application; and
6. 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.

### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved

stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

## **CONTACT**

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## **SIGNATURE**

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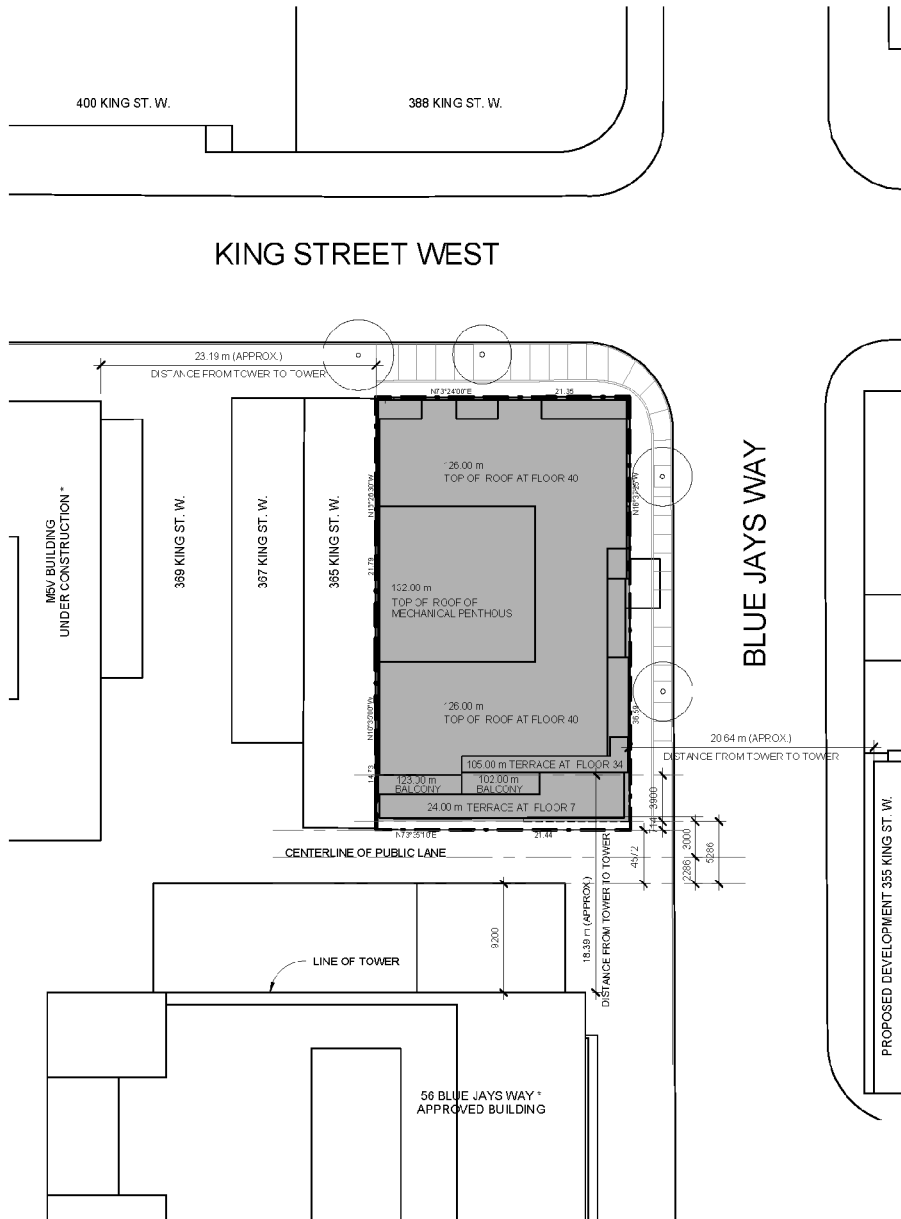
Raymond David, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North and East Elevations  
Attachment 3: South and West Elevations  
Attachment 4: Zoning (By-law No. 438-86)  
Attachment 5: Zoning (By-law No. 1156-2010)  
Attachment 6: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

## 357-363 King Street West

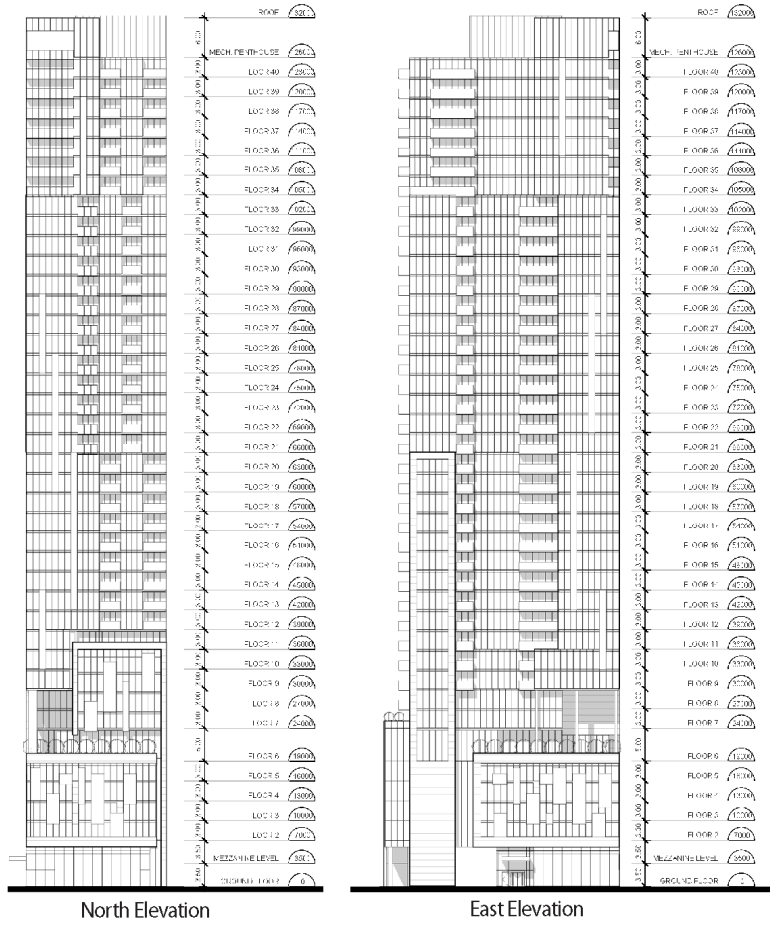
Applicant's Submitted Drawing

Not to Scale   
10/27/2010

File # 10\_192451 OZ

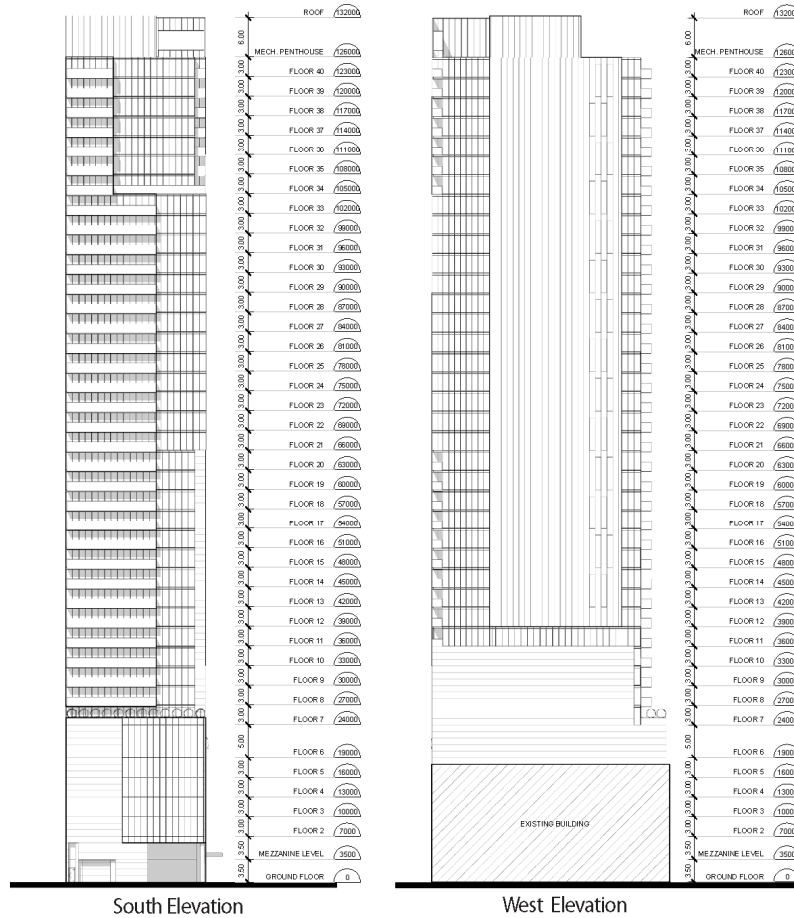


## Attachment 2: North and East Elevations



<p><b>Elevations sheet #1</b>          Applicant's Submitted Drawing          NottoScale          10/27/2010</p>	<p><b>357-363 King St. West          and 62 Peter Street</b>           File # 10_192451</p>
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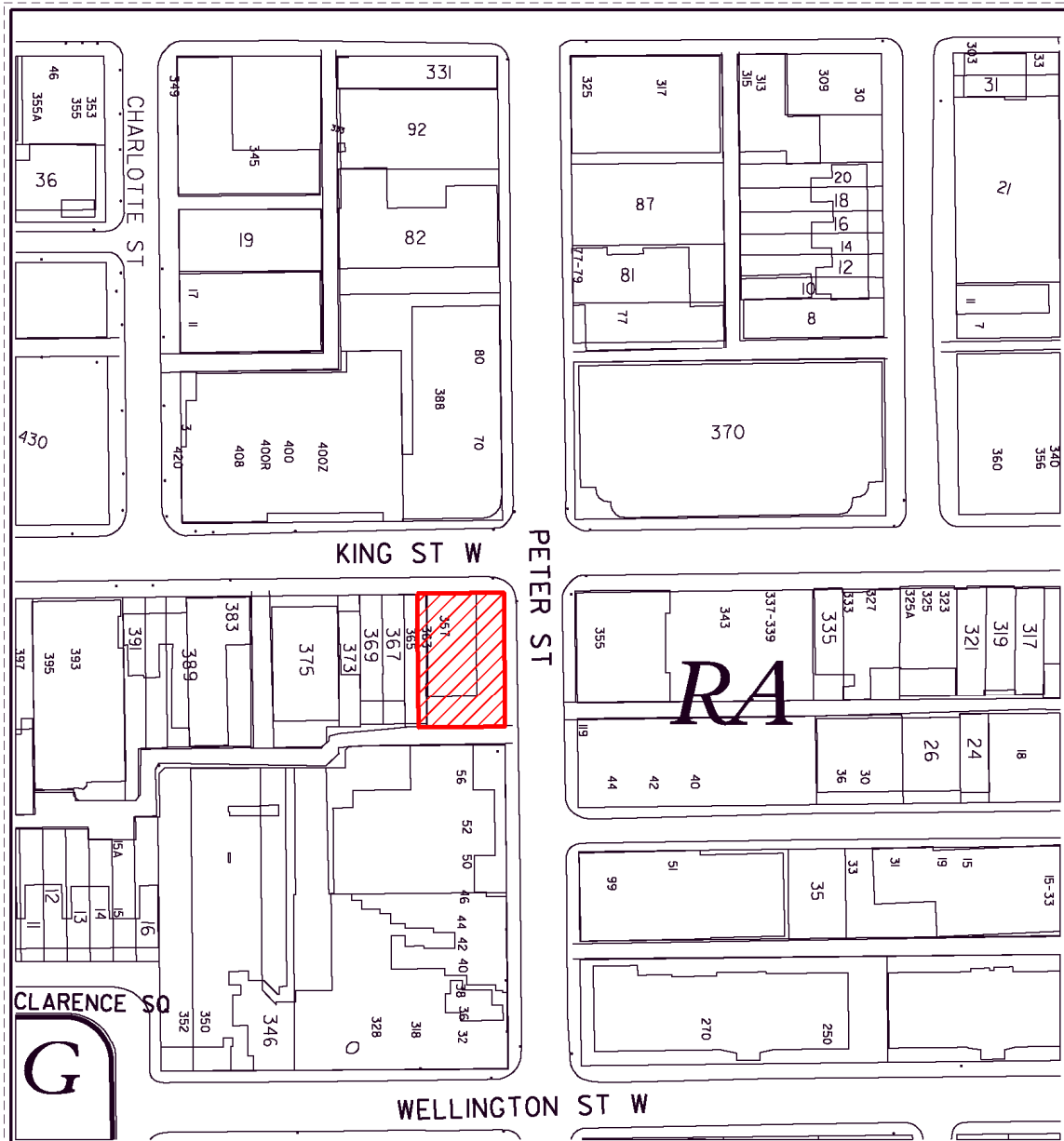
### Attachment 3: South and West Elevations



Elevations sheet #2  
 Applicant's Submitted Drawing  
 Not to Scale  
 10/27/2010

357-363 King St. West  
 and 62 Peter Street  
 File # 10\_192451

Attachment 4: Zoning (By-law No. 438-86)



357-363 King St. West and 62 Peter St.

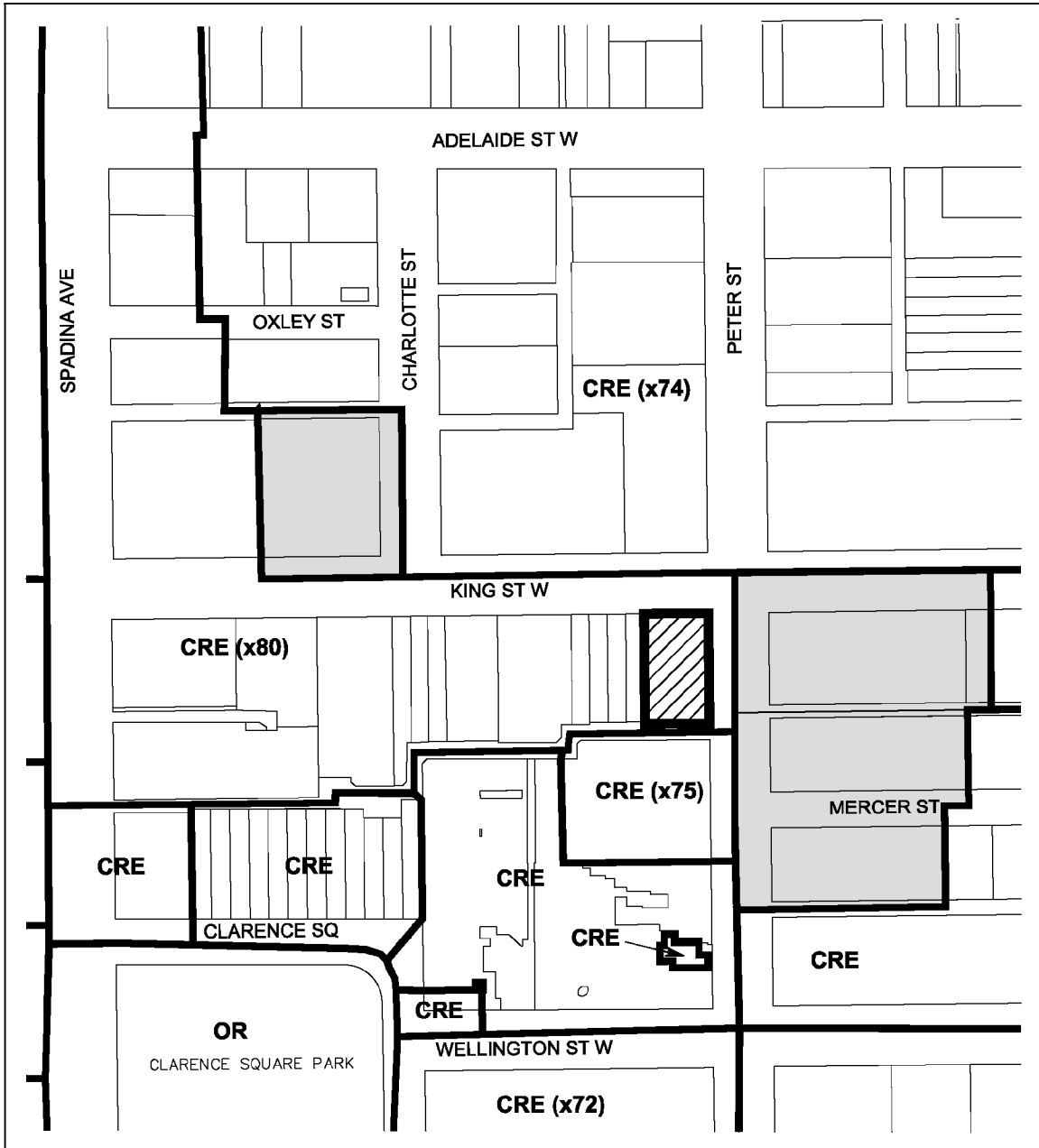
File # 10\_192451

RA Reinvestment Area District  
G Parks District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 10/27/2010

Attachment 5: Zoning (By-law No. 1156-2010)



**TORONTO** City Planning  
Zoning

**357-363 King Street West**  
File # 10 192451

Not Part of By-Law 1156-2010  
OR Open Space Recreation  
CRE Commercial Residential Employment

City of Toronto By-Law 1156-2010  
Not to Scale  
11/18/10

## Attachment 6: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 192451 STE 20 OZ
Details	Rezoning, Standard	Application Date:	June 9, 2010

Municipal Address: 357 KING ST W  
 Location Description: PL D263 PT LT1-3 \*\*GRID S2015

Project Description: Rezoning application to permit the redevelopment of the lands containing an existing auto repair shop for the purposes of a mixed use building complete with 212m<sup>2</sup> of ground floor retail and 242 residential dwelling units above. Included in the proposal is 6 levels of below grade parking complete with 138 parking spaces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MCMILLAN BINCH LLP BROOKFIELD PLACE		QUADRANGLE ARCHITECTS LIMITED	RIVEROAKS INVESTMENTS INC

#### PLANNING CONTROLS

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

#### PROJECT INFORMATION

Site Area (sq. m):	782	Height:	Storeys:	40	
Frontage (m):	21.2		Metres:	126.4	
Depth (m):	36.3				
Total Ground Floor Area (sq. m):	430				<b>Total</b>
Total Residential GFA (sq. m):	23877		Parking Spaces:	138	
Total Non-Residential GFA (sq. m):	212		Loading Docks	1	
Total GFA (sq. m):	24089				
Lot Coverage Ratio (%):	55				
Floor Space Index:	30.8				

#### DWELLING UNITS

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

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	23877	0
Bachelor:	0	Retail GFA (sq. m):	212	0
1 Bedroom:	163	Office GFA (sq. m):	0	0
2 Bedroom:	79	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	242			

**CONTACT:**      **PLANNER NAME:**      **Dan Nicholson, Community Planner**  
**TELEPHONE:**      **(416) 397-4077**

