

**251-255 King Street East and 37 Sherbourne Street
Rezoning Application - Preliminary Report**

Date:	July 28, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	08 186000 STE 28 OZ (related File No. 08 186022 STE 28 SA)

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*.

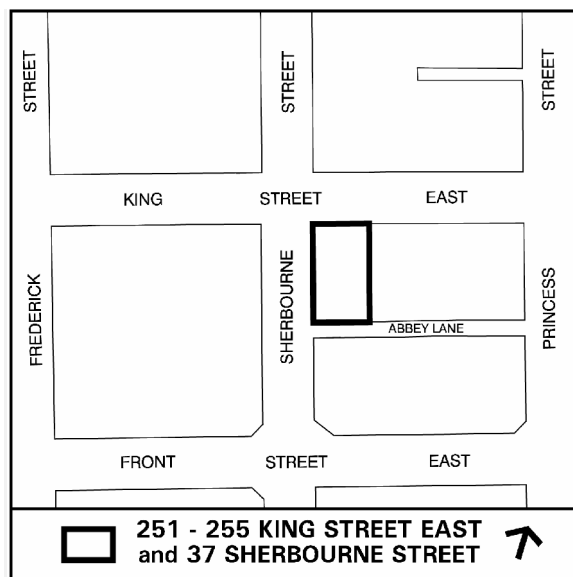
This application proposes to re-build the heritage building at 251 King Street East, demolish the buildings at 253 and 255 King Street East and 37 Sherbourne Street (renamed 2 Abbey Lane) and redevelop these lands as an 18-storey mixed-use building containing 147 residential units with retail uses at-grade and 90 parking spaces in a six level underground 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

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting 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.

PRE-APPLICATION CONSULTATION

Several pre-application consultation meetings were held between the applicant, Ward Councillor, City Planning staff and St. Lawrence Neighbourhood Association (SLNA). Some of the issues raised were:

1. What heritage preservation methods are to be applied to retention of the 251 King Street East historic listed building?
1. How can the historic building's façade be incorporated in the Heritage Lighting Program for the St. Lawrence Neighbourhood?
2. How does the overall height of the proposed building and its massing fit within its surrounding context?

Based on a cursory review of the applicant's formal application, the applicant proposes to address the above-noted issues by: re-building the historical building instead of re-interpreting the historical façade; reducing the initial proposal's total height from 57 metres to 53 metres; and reducing the length of the proposal's east party wall to reduce the afternoon shadow impacts on the terraces of Abbey Lofts.

ISSUE BACKGROUND

Proposal

The applicant, Aird & Berlis LLP representing Rams Head Development Inc., proposes to redevelop the properties as a mixed-use building with 147 residential units with retail at grade. The proposed unit breakdown is 3 studio units, 112 one-bedroom units and 32 two-bedroom units. The proposal provides a total of 90 parking spaces, of which one parking space is proposed for a car-share program. Access to the six level underground parking garage will be off of Abbey Lane, which forms the southern boundary of the site. Attachments 1 and 2 show the proposal's site plan and building elevations.

Site and Surrounding Area

The site is located on the southeast corner of King Street East and Sherbourne Street. The site is rectangular in shape and is approximately 850 square metres in area. It is currently occupied by:

- 251 King Street East, a three storey building with lawyer's offices;

- 253-255 King Street East, a two-storey building with retail at grade and commercial above; and
- 37 Sherbourne Street, a two-storey building with commercial at grade and above.

The existing building at 251 King Street East has been listed as a heritage building according to the City of Toronto Inventory of Heritage Properties for architectural reasons.

North of the site along King Street East are mixed-use buildings ranging from one to three storeys, with retail uses generally at grade. At the northwest corner of King and Sherbourne streets is Mozo, a 15-storey condominium building with a height of approximately 54 metres. At the northeast corner of King and Sherbourne streets is King's Court, a 17-storey condominium building with retail at grade and a height of approximately 54 metres.

Along the south side of King Street East are mixed-use buildings ranging in height from two to seven storeys. South of the site is a two-storey building with retail at grade and residential uses above.

East of the site is Abbey Lane Lofts, which is a stepped seven-storey condominium building with retail uses at grade. The building is approximately 25 metres in height. Further east is East Lofts, a 17-storey condominium building with commercial uses at grade. The overall height of this building is approximately 46 metres.

West of the site (Sherbourne Street), along King Street East are a series of three-storey mixed use buildings.

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 application will be reviewed against the policies in the Official Plan including the policies set out in the King-Parliament Secondary Plan. Other important policies include those in the “Downtown”, “Public Realm”, and “Built Form” sections of the Official Plan.

The properties are located within the “Downtown and Central Waterfront” area, identified on Map 2 – Urban Structure and is designated “Regeneration Area” on Map 18 – Land Use Plan. This designation permits a range of residential, commercial and institutional uses and provides criteria to direct the form and quality of development.

The Toronto Official Plan is available on the City’s website at:
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 Regeneration Area ‘A’ (Jarvis-Parliament) section of the King-Parliament Secondary Plan. This section stipulates that Jarvis-Parliament will be regarded as an area targeted for growth, having a mix of compatible land uses including commercial, industrial, institutional, residential, live/work and entertainment uses within new and existing buildings.

The King-Parliament Secondary Plan is available on the City’s website at:
www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_june2006.pdf

Zoning

Under the former City of Toronto Zoning By-law 438-86, as amended, the site is zoned RA, a reinvestment area district, which permits a number of residential uses, as well as other complementary non-residential uses. The site is not subject to a density cap but has a height limit of 30 metres. Attachment 3 provides an excerpt of the Zoning map for the site and immediate area.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has been submitted and is being reviewed concurrently with the Zoning By-law amendment application.

Heritage Preservation

A Heritage Impact Statement prepared by E.R.A. Architects Inc., dated July 21, 2008, has been submitted for City staff’s review. The purpose of this Heritage Impact Statement (HIS) is to provide information on the heritage resources that may be affected by the proposed redevelopment of 251 King Street East. The HIS proposes an overall approach to the conservation of the cultural heritage value of the property and its heritage attributes.

Reasons for the Application

The applicant seeks to amend By-law 438-86, as amended, because the proposed building's height of 52.95 metres and massing, specifically along King Street, are not in compliance with the Zoning By-law.

By-law 438-86, as amended, permits a wide range of uses including the proposed residential and retail uses. However, the By-law only permits a maximum building height of 30 metres. The site is subject to an exception in 12(2)260 of the Zoning By-law, which applies to the King Street East frontage and limits the height of buildings at the lot line to 16 metres, above which an angular plane of 44 degrees is to be maintained.

Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.

COMMENTS

Issues to be Resolved

Prior to presenting a Final Report to Toronto and East York Community Council, the following issues, as well as any other issues that may be identified by staff and the public will need to be reviewed and addressed:

- (a) appropriateness of the proposal's scale and massing in terms of overall height and built form arrangement on the site, and compatibility and interface with the surrounding context;
- (b) appropriate heritage preservation treatment of 251 King Street East;
- (c) assessment of traffic and transportation impacts;
- (d) identification and security of community benefits under Section 37 of the *Planning Act*, should the proposed development or some variation thereof, advance; and
- (e) ability to meet the intent and spirit of the Official Plan, Council policies and other applicable planning policies including the Provincial Policy Statement, and to represent good planning and community planning.

Staff will also be encouraging the applicant to review additional sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006. The City's Green Development Standards are available on the City's website at: www.toronto.ca/environment/greendevlopment/htm

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

CONTACT

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SIGNATURE

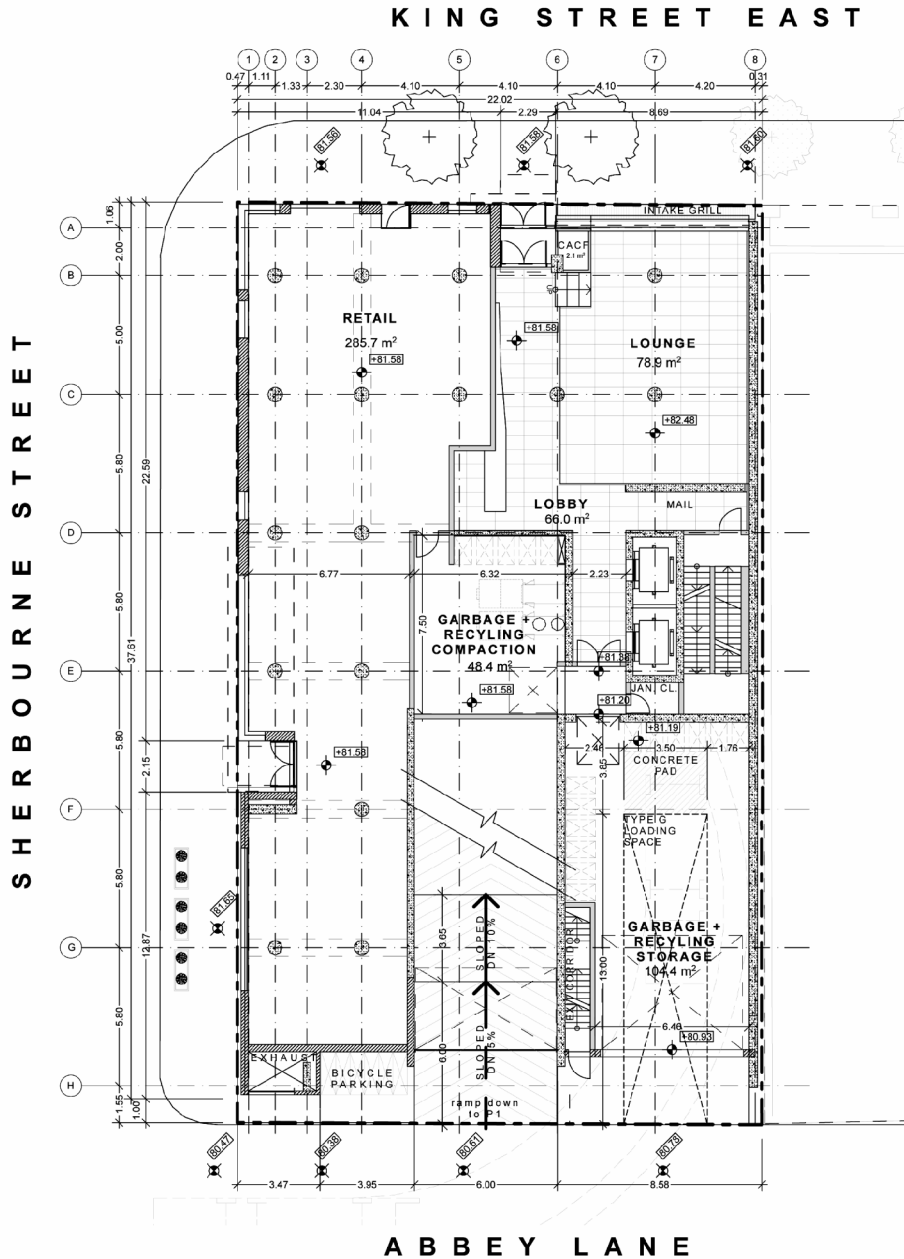
Raymond David, Acting Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning By-law 438-86, as amended, Map
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Ground Floor Plan

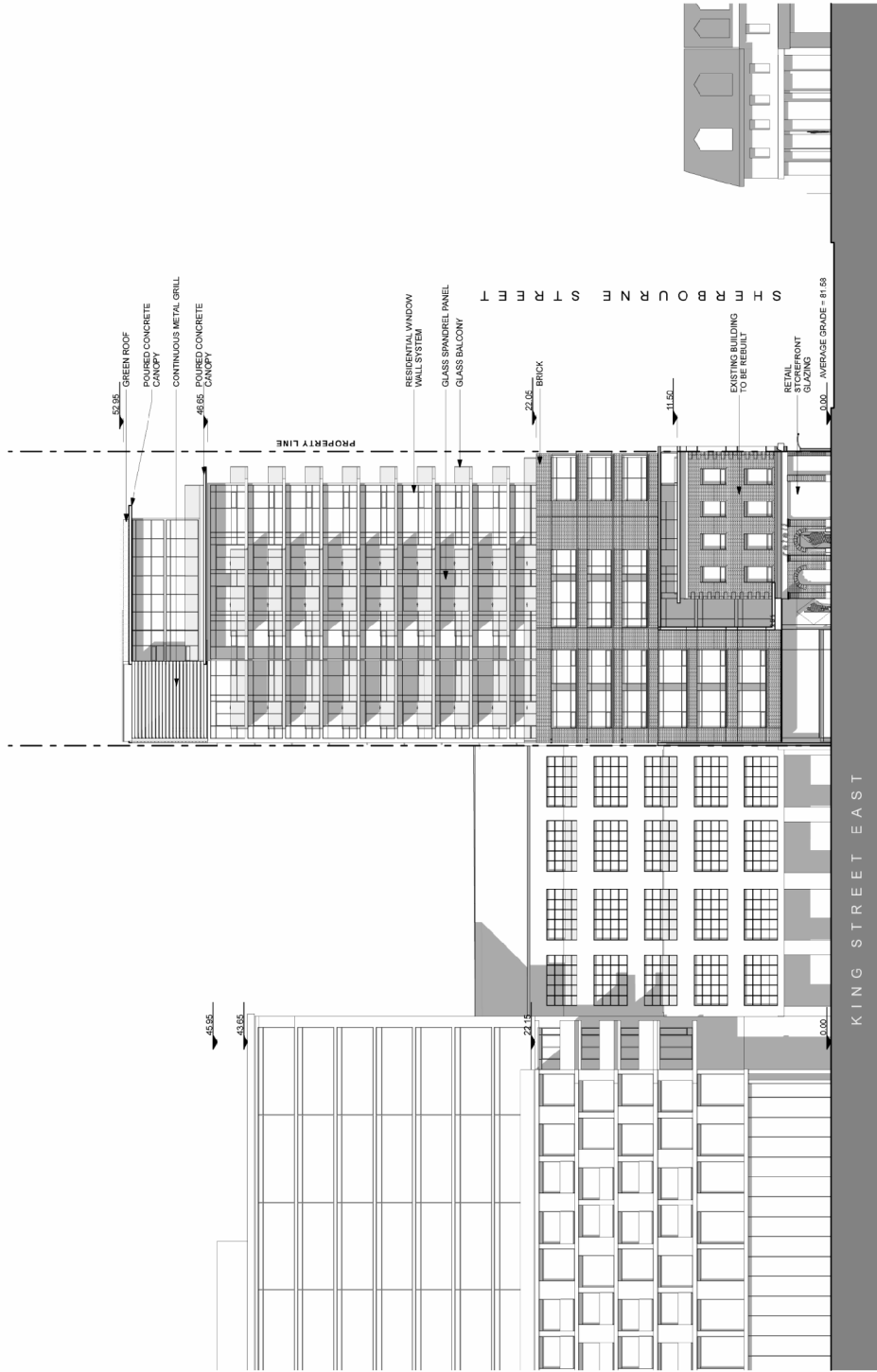
251 - 255 King Street East and 37 Sherbourne Street

Applicant's Submitted Drawing

Not to Scale 

File # 08_186000

Attachment 2: Elevations



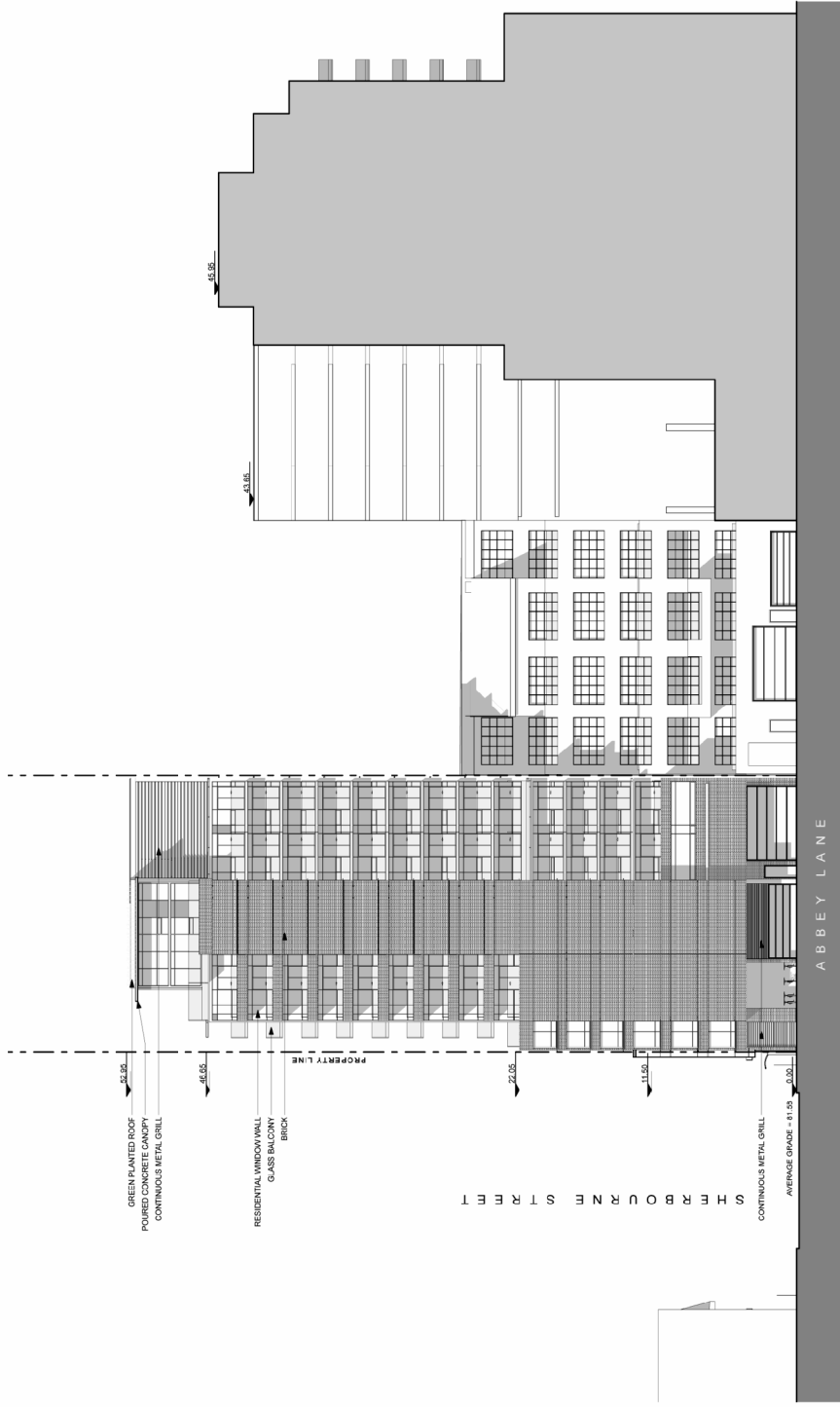
North Elevation

Applicant's Submitted Drawing

Not to Scale
07/25/08

251 - 255 King Street East and 37 Sherbourne Street

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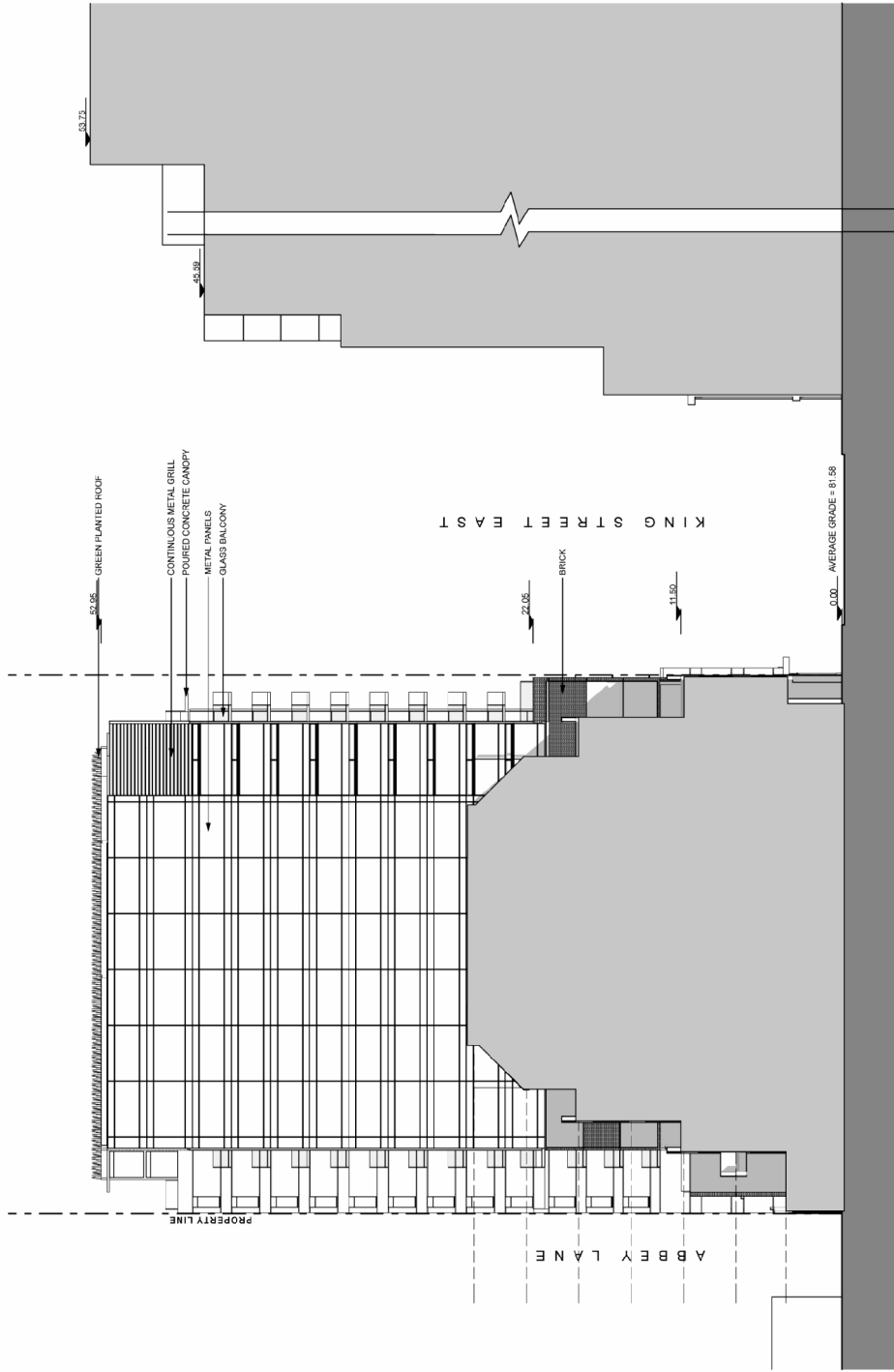
South Elevation

Applicant's Submitted Drawing

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251 - 255 King Street East and 37 Sherbourne Street

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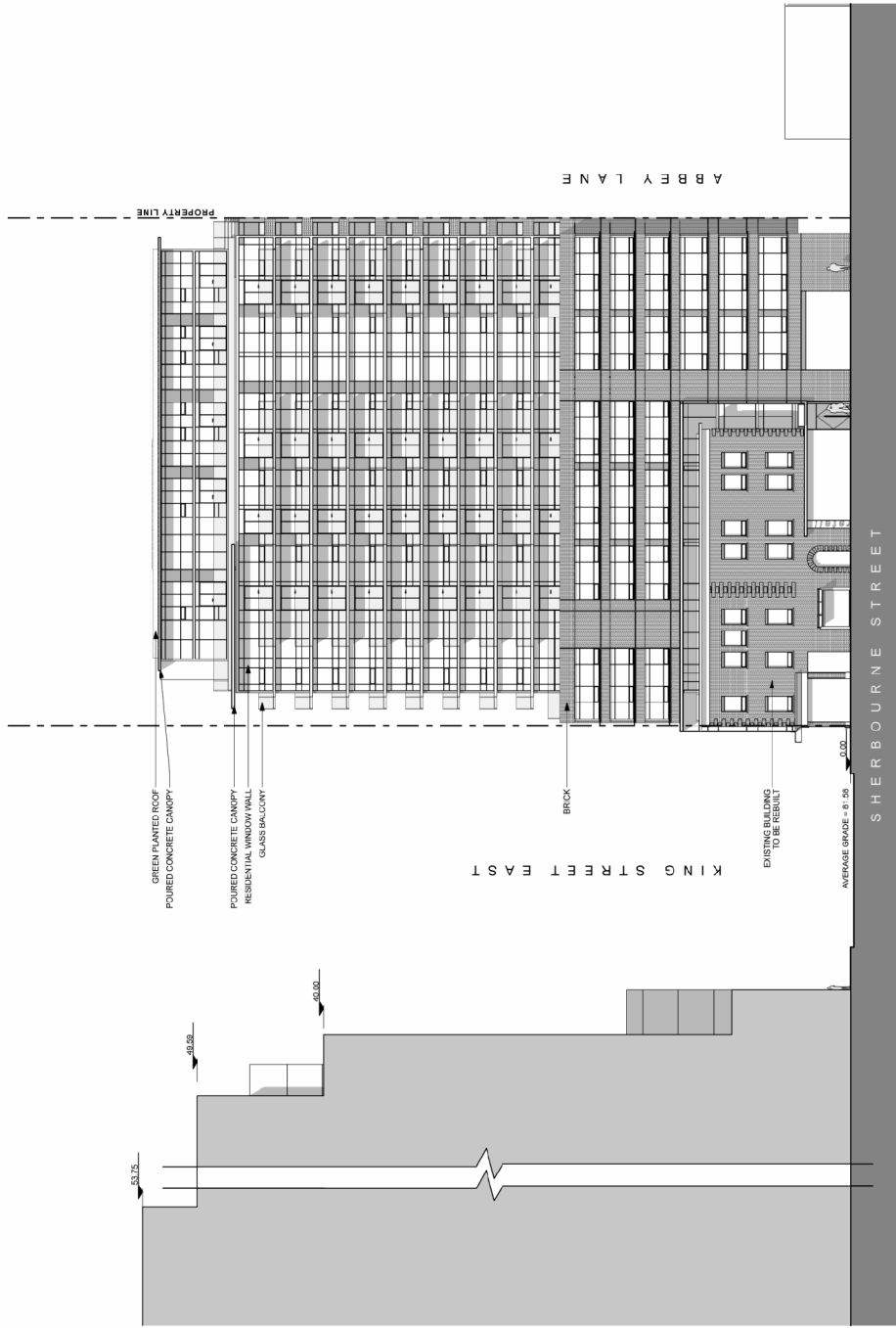
East Elevation

251 - 255 King Street East and 37 Sherbourne Street

Applicant's Submitted Drawing

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West Elevation

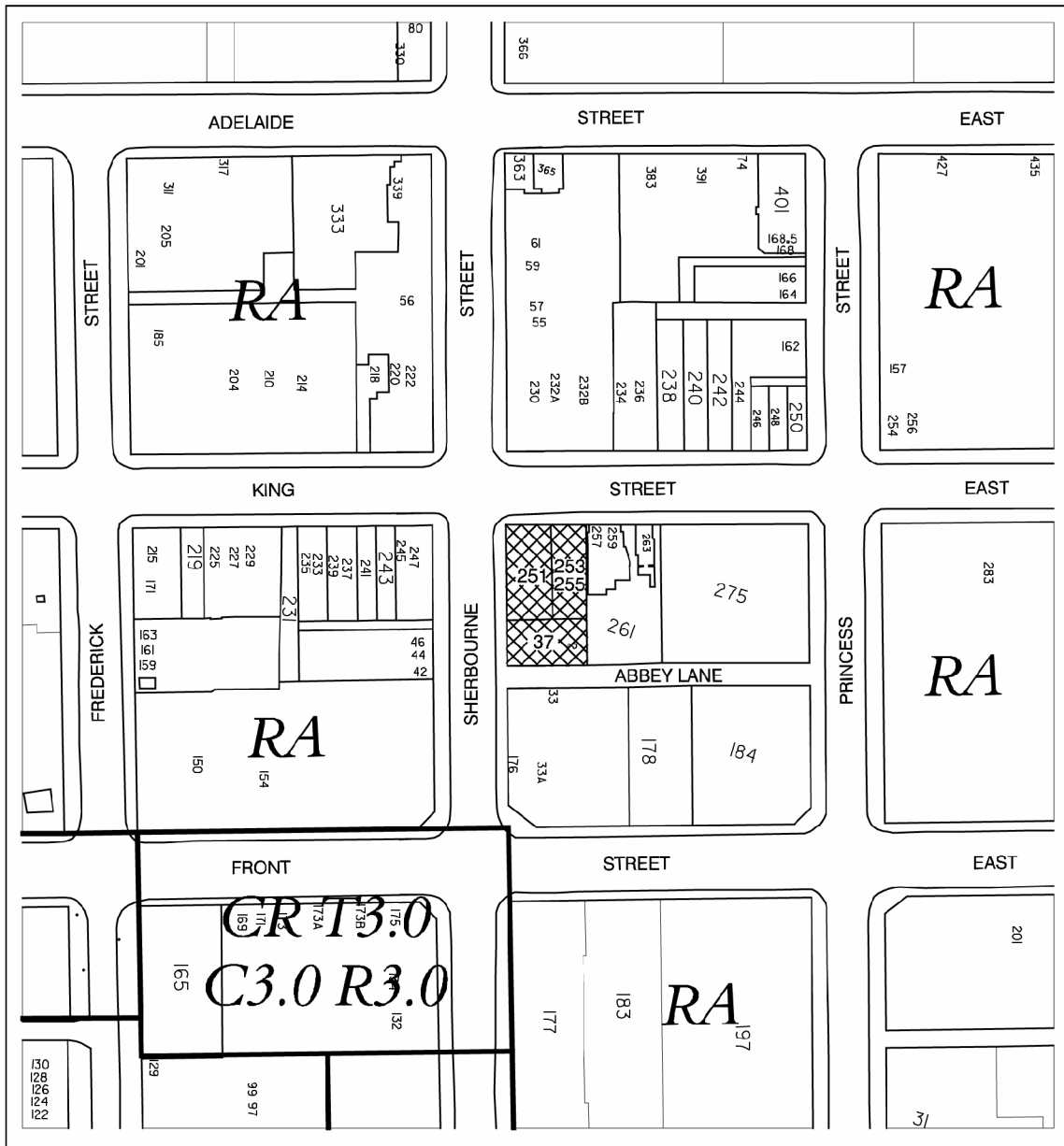
Applicant's Submitted Drawing

Not to Scale
07/25/08

251 - 255 King Street East and 37 Sherbourne Street

File # 08_186000

Attachment 3: Zoning By-law 438-86, as amended, Map



251 - 255 King Street East & 37 Sherbourne Street

File # 08_186000

CR Mixed-Use District
RA Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 07/25/08 - DR

Attachment 4: Data Application Sheet

Application Type Rezoning Application Number: 08 186000 STE 28 OZ
 Details Rezoning, Standard Application Date: July 24, 2008
 Municipal Address: 251-255 King Street East and 37 Sherbourne Street
 Project Description: Rezoning and site plan applications for the redevelopment of the site to permit the construction of an 18-storey mixed-use building on the lands containing ground floor commercial and residential above. Proposal is to re-build the heritage façade of 251 King Street East.

Applicant: **Architect:** **Owner:**
 Aird & Berlis, TACT Design Inc., Rams Head Development Inc.
 Kim Kovar Prish Jain

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	850	Height: Storeys:	18
Frontage (m):	22.02	Metres:	52.95
Depth (m):	38.61		
Total Ground Floor Area (sq. m):	774		Total
Total Residential GFA (sq. m):	10650	Parking Spaces:	90
Total Non-Residential GFA (sq. m):	285	Loading Docks	1 Type "G"
Total GFA (sq. m):	10935		
Lot Coverage Ratio (%):	91		
Floor Space Index:	12.87		

DWELLING UNITS

Tenure Type: Condo
 Rooms: 0
 Bachelor: 3
 1 Bedroom: 112
 2 Bedroom: 32
 3 + Bedroom: 0
 Total Units: 147

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	10650	0
Retail GFA (sq. m):	285	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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