

**510, 512 & 530 King Street East
Official Plan Amendent & Rezoning Application
Final Report**

Date:	April 16, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	07-276032 STE 28 OZ

SUMMARY

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

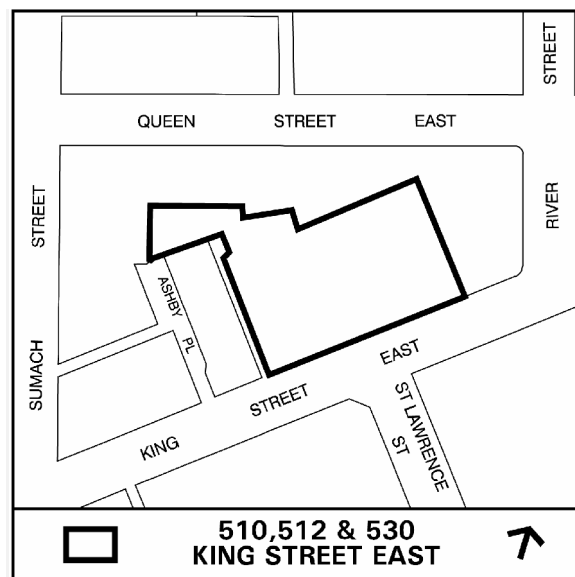
The application proposes the redevelopment of the property at 510, 512 and 530 King Street East, for an 8-storey residential development with commercial uses on the ground floor.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9;



2. City Council amend the Zoning By-law 438-86, as amended substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
4. City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such and agreement be registered on title to the lands in the manner satisfactory to the City Solicitor, to secure the following matters:
 - (a) provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, design to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
 - (b) provide a green roof satisfactory to the Chief Planner and Executive Director, City Planning Division;
 - (c) build in conformity with the Toronto Green Standard Checklist submitted by the applicant in November 2007, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - (d) all *bicycle parking spaces* are provided and maintained only on the first level below *grade* for *occupant* spaces, and all at grade for *visitor* spaces;
 - (e) all *bicycle parking spaces* shall be common element and shall not be combined with storage lockers for residential units; and
5. City Council authorize City officials to take all necessary steps, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In April 2007, Streetcar Developments Inc. submitted an Official Plan and Zoning By-law Amendments and a Site Plan Application for their Phase 1 lands on three sites known as 52 Sumach Street, 549 and 569 King Street East. Subsequently, the applicant appealed the three applications to the Ontario Municipal Board (OMB) on the basis that the City failed to make a decision.

As a result of the OMB hearing, a Final Board Order was issued on August, 2008. Zoning By-law 289-2009(OMB) for the Phase 1 lands is now 'in-force and effect' and contains by-law requirements related to both the Phase 1 development and Phase 2 lands.

The proposed development at 510, 512 and 530 King Street East, Phase 2 has responded to the requirements as contained within Zoning By-law 289-2009(OMB), with the satisfactory provision of shared residential indoor amenity space, a loading area, a garbage and recycling room, and visitor parking spaces.

ISSUE BACKGROUND

Proposal

The proposal is for the redevelopment of the subject site for a residential building with commercial uses at grade. The building comprises of 8-storeys with a series of stepbacks on all four elevations for a total of 180 residential units, also proposed is a green roof on the penthouse level. (Refer to Attachment 1: Site Plan).

The unit breakdown is comprised of 52% one-bedroom and one-bedroom + den units, and 48% two-bedroom and two-bedroom + den units. The total gross floor area for the project is approximately, 17,365 square metres of which 2,415 square metres is for ground floor commercial uses and the balance of 14,950 square metres is for residential uses.

Indoor residential amenity area totalling 382 square metres is proposed, of which 140 square metres is to be located on each the second and third floors comprising of fitness facilities, and on the penthouse level is proposed is 102 square metres for a meeting space with a kitchenette. Also located on the penthouse level is an outdoor residential amenity area of approximately 377 square metres and a surrounding green roof of approximately 805 square metres.

Vehicle access to the site will be from the west side of the development at King Street East. A two-level underground parking garage will provide 115 parking spaces for residents, 11 parking spaces will serve residential visitors which includes 2 parking spaces that are dedicated as handicapped spaces and 8 parking spaces for the Phase 1 visitors. Proposed at the rear grade parking lot are; 2 dedicated car-share spaces and 26 parking spaces that will not be counted towards the parking supply for the development and will be provided for the community. For further statistical information, refer to the Application Data Sheet found at Attachment 8 of this report.

Site and Surrounding Area

The site is located within the Corktown district which is identified by Map 15-3, Area 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. The area is regarded as unique, small scale, fine grained community consisting generally of small properties, including several heritage buildings. There is a tightly knit mixture of low-rise residential, commercial and industrial uses, largely original fabric with distinctive street patterns.

The properties at 510-512 King Street East consist of an adjoining two and three-storey industrial building and 530 King Street East consists of a single two-storey industrial building.

The total site area is approximately 4846 square metres, with frontage of approximately 82.5 metres. The site currently has commercial office uses.

The site is surrounded by the following uses:

North: A mixture of low-rise mixed-use buildings which front onto Queen Street East. The rear yards of these buildings form the site's north property boundary.

South: The Lung Association is in a two-storey office building on the west side of St. Lawrence Street. On the west side of The Lung Association site is part of the Phase 1 development proposal at 569 King Street East. On the east side of St. Lawrence Street is the West Don Lands subdivision.

East: Abutting the site is a parcel of land that consists of three buildings that include a three-storey industrial building and surface parking lot.

West: Abutting the site is a north/south public laneway. The rear yards of a row of 1 ½ storey residential buildings on Ashby Place form the laneway's west property boundary.

Provincial Policy Statement and Provincial Plan

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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated as a 'Mixed Use Area' in the existing Official Plan Policies that permits a broad range of uses such as; commercial, residential, institutional uses, in single use or mixed use buildings, parks, open spaces and utilities.

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 subject to policies and principles contained within the 'Mixed Use Area Corktown' of the King-Parliament Secondary Plan. This section stipulates that a change of use on a lot from industrial and/or light industrial to residential and/or live/work uses alone, or in combination are permitted, provided that the development meets certain criteria. The proposed development has been evaluated with respect to the policies found in Section 9, subsection 9.2.

The King-Parliament Secondary Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_aug2007.pdf

King-Parliament Community Improvement Plan

The King-Parliament Community Improvement Plan provides several themes for redevelopment within the King-Parliament area, particularly with respect to improving physical identity and pedestrian amenity through improved paving materials and lighting. The Plan's initiatives are being considered as part of the assessment of this application.

Zoning

The properties municipally known as 510, 512 and 530 King Street East are governed by Zoning By-law 438-86, as amended, and are zoned I1 D3. The By-law permits an industrial building containing a total building density of three times the lot area and a height of up to 12 metres.

Site Plan Control

The proposed development is subject to Site Plan Control. An application was submitted to be reviewed concurrent with the Zoning By-law Amendment and the Official Plan Amendment files to ensure consistency. (File No. 07 276041 STE 28 SA). Staff will continue to work closely with the applicant to secure the appropriate design and technical conditions through a Site Plan Agreement.

Design Review Panel

The King-Parliament Secondary Plan has been selected by Council as one of the areas of the City within which development proposals are to be reviewed by the Design Review Panel. The applicant's mixed-use project is located within the King-Parliament area and proposes a significant redevelopment of three adjacent commercial buildings.

The applicant presented their proposal on two occasions at the Design Review Panel, March 27 and June 26, 2008. The panel's general consensus for the development at the second review was "that the building's design was much improved through the use of materials, façade treatment, articulation and detailing." Some of the panel's comments were; to incorporate stronger elements to achieve sustainability, a better contextual fit, increase King Street East building setback to improve the pedestrian realm, and to further improve the building form and articulation.

Pre-Application Meeting

City staff worked with the applicant prior to the application submission and discussed the requirements for complete application.

Reasons for Application

The applicant seeks to amend the Official Plan, particularly sub-section 9.2 of the King-Parliament Secondary Plan, because the proposed development exceeds the permitted height. The Mixed-Use Area 'A' (Corktown), stipulates that the erection and use of a new building is not to exceed the height limit.

In addition, the proposal does not comply with the Zoning By-law 438-86, as amended. The proposed 8-storey (34 metres with the mechanical penthouse roof) mixed-use building exceeds the height permission of 12 metres and the proposed density of 3.64 exceeds the 3.0 limit for the I1 D3 zone.

Community Consultation

A community meeting was held on June 4, 2008 with approximately 20 members of the public in attendance along with the ward councillor and the applicant. Issues raised included; a need to green the rear grade parking lot, greater definition of the rear lot loading area, a need for a landscape buffer along the property line, the submission of a detailed lighting and photometric plans to ensure that there will be sufficient light sources around the site thereby providing a safe environment for residents and visitors, and consideration given to how commercial signage will be located on the King Street East façade.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and conditions of Draft Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS.

Density, Height, Massing

The proposal is for approximately 14,950 square metres for residential uses and 2,415 square metres for commercial uses at grade for a combined total of 17,365 square metres. The current permitted density is 3.0 times the area of the lot in an 'I1' Industrial zone. The proposed development density is approximately 3.58 times the area of the lot for an increase of 0.58 times the area. The proposed density of the development has been reviewed and is deemed appropriate since the property is well served by the Queen and King Street streetcar lines, municipal services and community facilities.

The Zoning By-law permits a height of 12.0 metres. The proposed building height is 29.5 metres (8 storeys), plus 5 metres for the mechanical penthouse for an overall height of 34.5 metres. The applicant has worked closely with staff to ensure that the massing of the proposed development minimizes any potential negative impacts such as shadowing onto the adjacent properties. As such, the proposal contains a series of stepbacks on all four elevations. The King Street East facade stepbacks approximately at the 15.3, 18.7, 22 and 29.8 metre heights at approximate depths of 3.6, 2.4, 3.6, 2.4 and 7.8 metres

respectively. The west and east facades stepback at; 12.0, 18.7, 22.1 and 29.8 metre heights at approximately 4.2 to 4.5, 2.4, 2.1 and 9.1 metre stepback depths respectively. Finally, the north elevation stepbacks occur at 12, 18.7, and 29.8 metre heights ranging between 1.7 and 7.9 metres in depth. (See Attachment 2, 3, 4 & 5 for elevation details).

City Planning staff have worked with the applicant to ensure that there are no significant privacy impacts resulting from the proposed and existing windows and balconies onto adjacent sites.

Shadow

City staff have reviewed the applicant's shadow study as submitted in November 2008, to evaluate the potential impact. Specifically, the proposed development shadowing cast on the adjacent west residential and north 'MCR' properties will allow for afternoon sun. Therefore, it has been concluded that the shadowing that will occur from this project is acceptable.

Impact on Adjacent Lands

City staff have examined the impact of the proposal with respect to adjacent properties. The lands to the immediate west of the subject site (500-504 King Street East), currently support both commercial and residential uses that are separated by a 5.5 metre public lane from the proposed development. The properties to the north of the site are residential with backyards adjacent to the rear parking lot boundary. The lands to the east of the subject site (535 Queen Street East), currently support commercial uses with and approximately, an 11 metre wide parking lot abutting the subject property. The subject site proposes an approximate 2.20 metre wide landscaped buffer area with a patio proposed on the south/east side of the lot. Through the incorporation of a series of building stepbacks as discussed above, the applicant has made changes to the proposal with respect to mitigating any potential privacy issues with adjacent properties.

The applicant has submitted a lighting plan containing photometric values which has been reviewed by staff to ensure that sufficient lighting will be provided throughout the parking lot and around the building to ensure safety for the residents and to also ensure that the lighting not spill over into adjacent properties. This will be secured through a Site Plan Agreement.

Pedestrian Infrastructure

The applicant proposes to install one or more canopies along the King Street East façade where there is proposed both residential and commercial entrances. The residential entrances has been identified however, the type and number of commercial tenants has not been determined, therefore, the overall allocation of canopies will be finalized in the future. The proposed canopies will have a maximum depth of one metre. This form of weather protection will enhance pedestrian amenity in the Corktown neighbourhood.

Access, Parking

The proposed development will provide parking access from the (west) side public lane which runs in a north/south direction. This lane leads to the underground garage ramp. The proposal provides two levels of underground parking spaces for both residential and

visitor usage. The applicant proposes a total of 115 residential parking spaces and 11 visitor parking spaces in the underground garage. The visitor parking will be located on the P1 level and the residential spaces will be on both the P1 and P2 levels including two designated accessible parking spaces for persons with disabilities. Of the 115 residential spaces proposed, the minimum zoning by-law requirement is for 102 spaces of which there is a surplus of 13 spaces. The type and number of potential commercial tenants has not been determined therefore, the allocation of surplus parking spaces will be determined in the future.

Additional parking is provided at the rear (north part) of the development that is accessed via the north/south driveway. Two dedicated car-share parking spaces are proposed. Staff permit one car-share space to be provided in lieu of ten resident parking spaces. The second car-share space above the first car-share space permitted for a 10 space reduction will not counted towards the parking supply zoning by-law requirements.

In fulfillment of Zoning By-law, 289-2009(OMB), Section 10, clause (5)(b), for the Phase 1 development located on 52 Sumach Street, 549 King Street East, 33 Sumach Street and 569 King Street East, proposed are 8 visitor parking spaces on the P1 underground level at 510, 512 and 530 King Street East.

Also proposed are 26 at-grade parking spaces in the rear lot. These spaces will not be included in the development supply. The applicant has made an arrangement independent of the proposal with the area residents for community usage. Signage designating these spaces is required as part of the zoning by-law amendment. Staff will secure these parking spaces through the condominium conditions of approval.

The applicant has submitted for staff review, a Planning Justification Report, dated November 2, 2007 and with further details in the Parking Study Addendum 1 Report, dated November 1, 2007, as prepared by the IBI Group in support of the application. The proposed parking supply achieves the zoning by-law requirements.

Bicycle Parking

The Zoning By-law requires a total of 134 bicycle parking spaces consisting of 107 residential spaces and 27 visitor spaces for the proposal. The applicant is providing 107 residential spaces in a secured room in the underground garage on the P1 level, and an additional 27 visitor spaces at ground level in the rear parking lot. Also, the ground level visitor spaces will have weather protection from a canopy element. The proposed bicycle parking meets the by-law requirements.

Site Servicing

The applicant has worked with Technical Services, Transportation, and Solid Waste Management staff to achieve an acceptable loading space to service the proposed development. The applicant is proposing a Type G loading space to be sited along the north lot line for both residential and commercial usage, for both Phase 1 and 2 developments. The Phase 1 development garbage and recycling storage area will be sited on the south end of the ground level opposite the loading area. The Phase 2 garbage and recycling storage are will also be sited on the ground level. Technical Services is

satisfied with this arrangement and it will be secured through the Site Plan Approval process.

Landscaping, Amenity Space

The applicant has submitted a landscape plan which has achieved planning objectives given the constraints of the site. The proposed development landscape open space at grade is approximately 5%. There will be landscaping extending the length of the north lot line to act as a buffer for the adjacent residential dwelling rear yards and wrapping around to the opposite side flanking the Ashby Place rowhouses. A landscape zone of approximately 2.20 metres in width is proposed along the east lot line approximately extending above the landscaped patio space of approximately 15 metres north of King Street East on the south/east corner of the site extending to the north lot line. In addition, new trees will be provided along the entire King Street East building frontage on the public streetscape. Private space will be provided through the provision of balconies and terraces.

The proposed indoor amenity space requirement is a minimum of 2.00 square metres per dwelling unit. Proposed are fitness spaces with change facilities and washrooms located on the second and third floors at approximately 140 square metres each, and an indoor meeting room with a kitchenette and washrooms to an approximately 102 square metres on the mechanical penthouse level.

Also proposed on the mechanical penthouse level is a minimum of 377 square metres of residential outdoor amenity space that achieves the zoning by-law requirement. Also proposed is a green roof of an approximate 805 square metres that surrounds the outdoor amenity space. Staff will continue to work on securing site plan conditions with the applicant to create a desirable amenity space and green roof design.

Tree Preservation

The applicant has provided a Tree Assessment Report dated stamped as received on November 8, 2007 which identifies all of the existing trees on site, including their species and condition. There are four City trees along the King Street East streetscape to be removed, two trees to remain, and nine trees will be added along this frontage. Proposed along the west, north and east lot lines are private trees to be maintained where possible during the development construction phase and/or replaced to City requirements if injured or destroyed through this process. As the Site Plan review is ongoing, Planning staff will continue to work with the applicant and Urban Forestry on tree preservation and removal issues and the appropriate conditions will be secured through the Site Plan Approval process.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The

site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 180 residential units on a site of 0.4846 hectares (4,846m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.240 hectares (2,400m²). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.04846 hectares (484.6m²).

The non residential component of the development would be subject to a 2% parkland dedication requirement under Chapter 165 of the former City of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, c.P.13.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no suitable location for an on-site parkland dedication.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

The applicant has completed the Toronto Green Standard checklist. The proposed development achieves several targets set out in the checklist. These include, but are not limited to; the use of energy efficient fixtures and appliances, storage and collection of recyclables and compostables, no light pollution, the use of local materials, and the installation of low-water landscaping materials.

Section 37

Require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such and agreement be registered on title to the lands in the manner satisfactory to the City Solicitor, to secure the following matters:

- (a) provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, design to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
- (b) provide a green roof satisfactory to the Chief Planner and Executive Director, City Planning Division;
- (c) build in conformity with the Toronto Green Standard Checklist submitted by the applicant November 2007, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- (d) all *bicycle parking spaces* are provided and maintained only on the first level below *grade* for *occupant* spaces, and all at *grade* for *visitor* spaces; and
- (e) all *bicycle parking spaces* shall be common element and shall not be combined with storage lockers for residential units.

Tenure

City staff support the development as a standard condominium corporation.

Development Charges

It is estimated that the development charges for this project will be \$575,000.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusions

The application has been carefully reviewed with respect to the fit of the proposed development within the neighbourhood. Given that the proposed increase of height and density is in keeping with the area context. City Planning staff recommend approval of the proposed Official Plan and Zoning By-law Amendments.

CONTACT

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Fax No. 416-392-1744
E-mail: dsilver2@toronto.ca

SIGNATURE

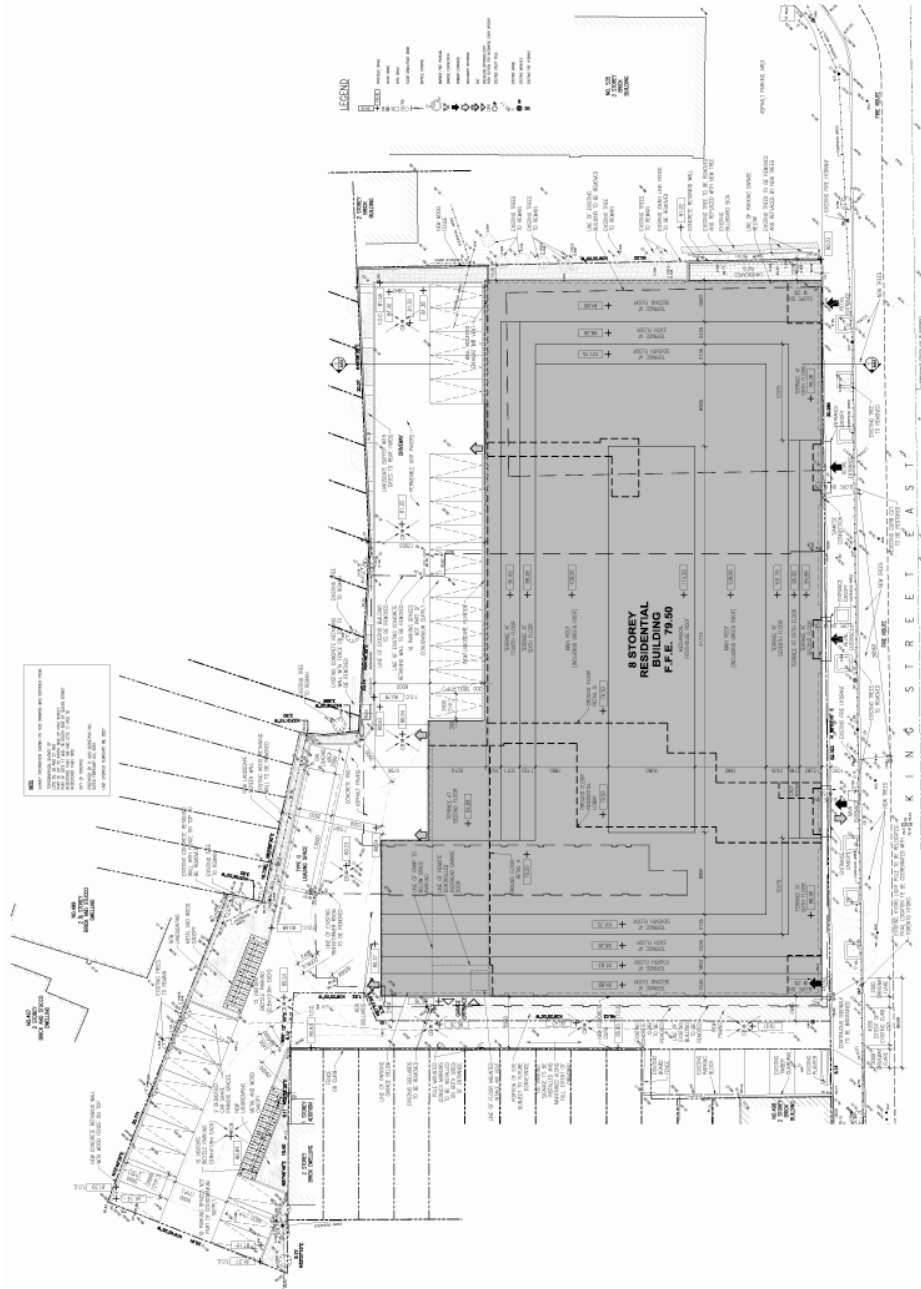
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Official Plan
Attachment 7: Zoning
Attachment 8: Application Data Sheet
Attachment 9: Draft Official Plan Amendment
Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

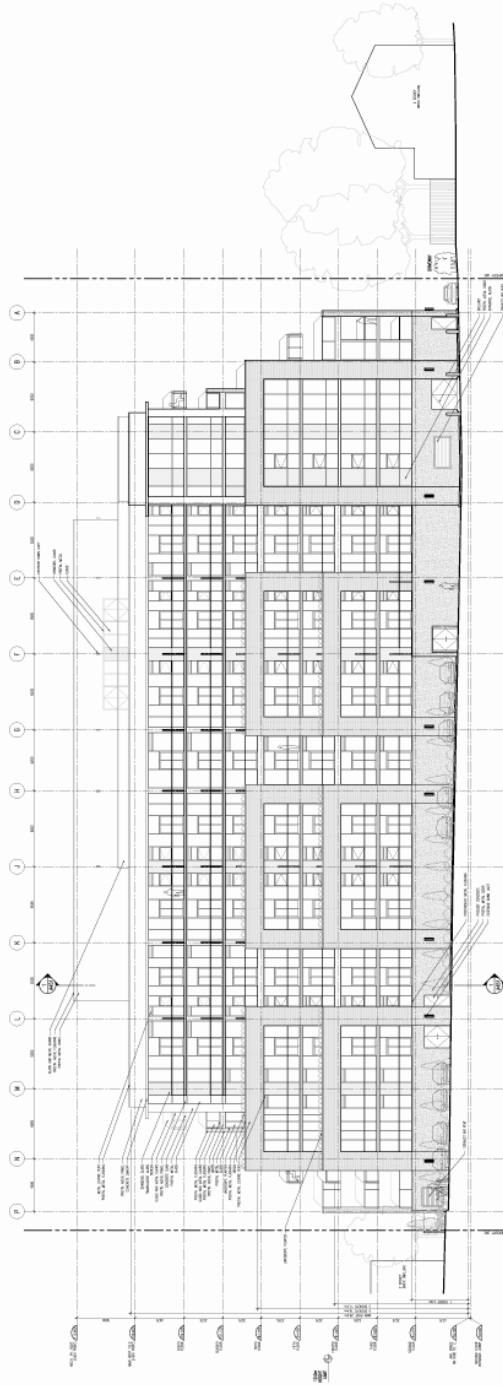
Applicant's Submitted Drawing

Not to Scale
04/06/09



File # 07_276041 & 07_276032

Attachment 2: North Elevation



North Elevation

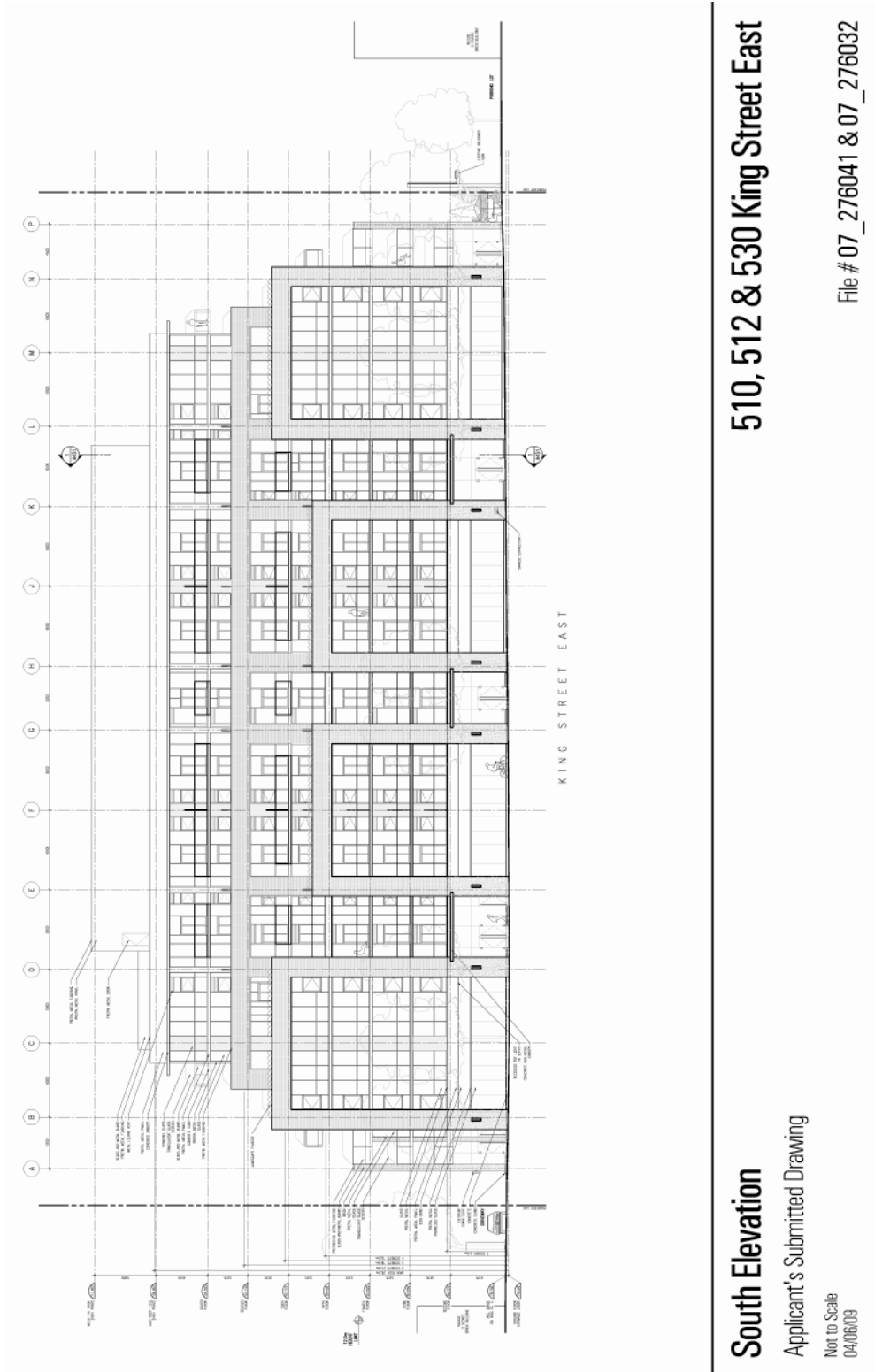
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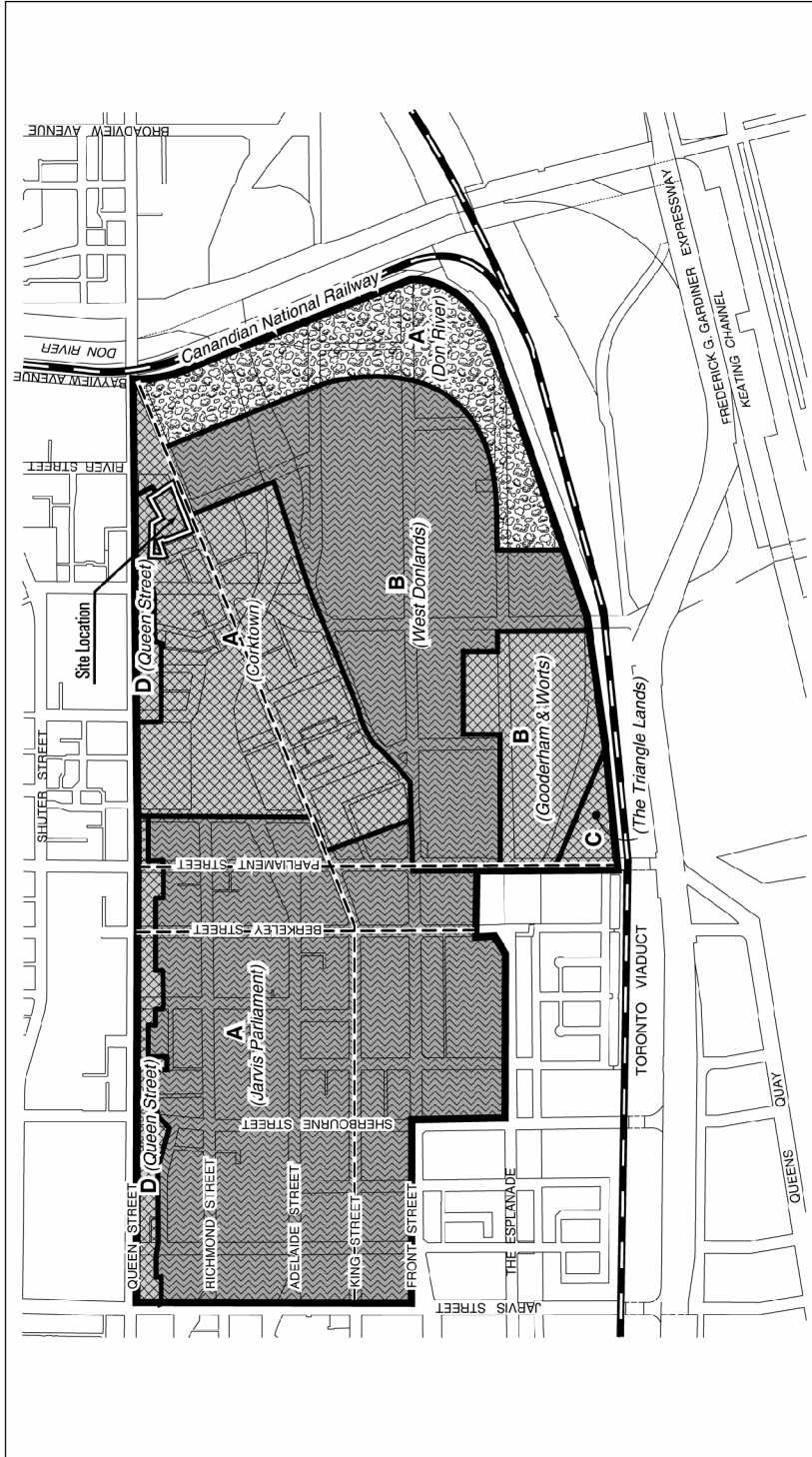
510, 512 & 530 King Street East

File # 07_276041 & 07_276032

Attachment 3: Elevations



Attachment 6: Official Plan



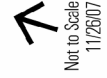
510,512 & 530 King Street East

Toronto City Planning
King-Parliament Secondary Plan

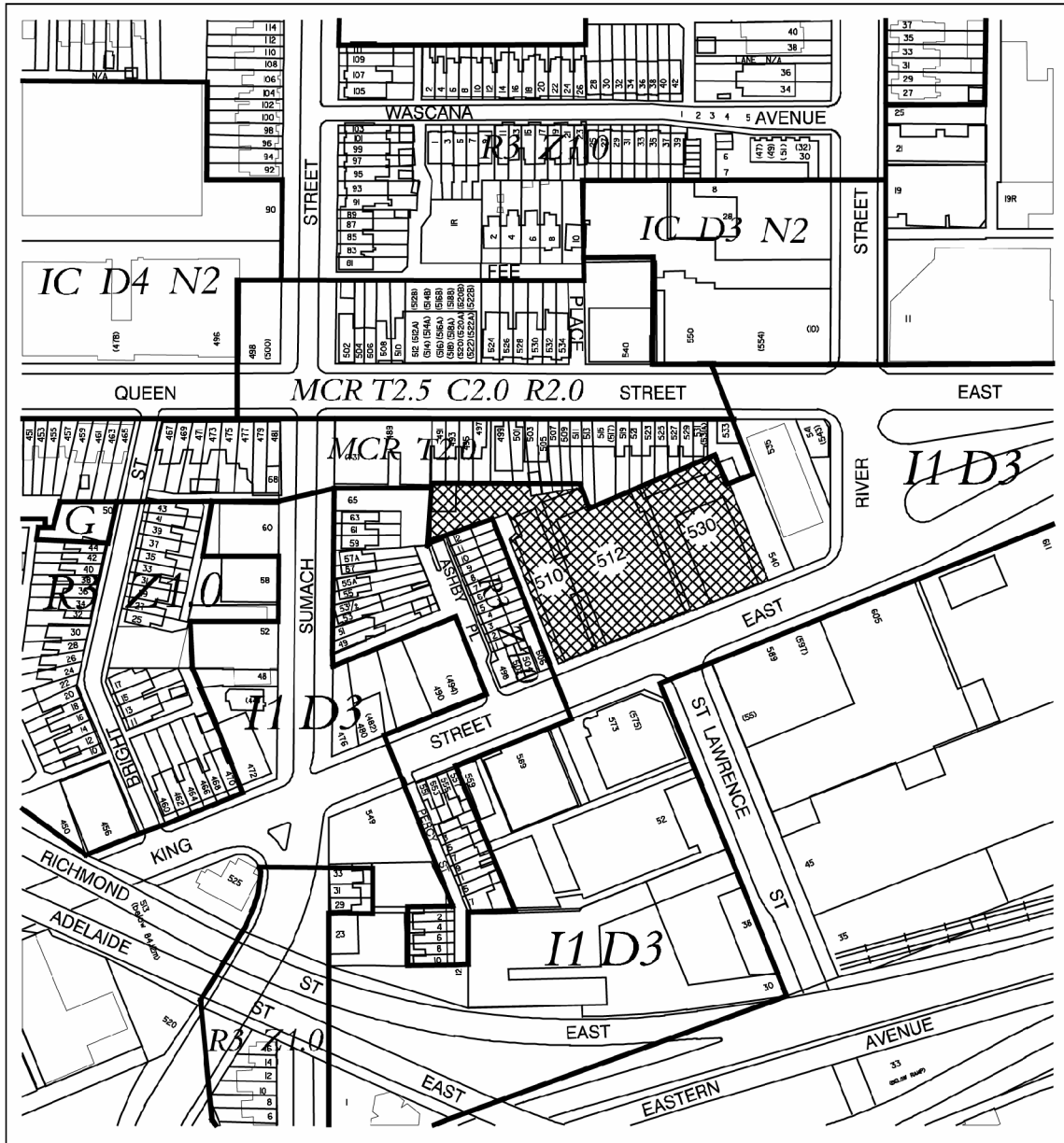
MAP 15-1 Land Use Plan

File # 07_276032

- Site Location
- Secondary Plan Boundary
- Special Streets
- Mixed Use Areas
- Regeneration Areas
- Parks and Open Space Areas



Attachment 7: Zoning



510,512 & 530 King Street East

File # 07_276032

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



Not to Scale
Zoning By-law 438-86 as amended
Extracted 11/23/07 - DR

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment, Rezoning and Site Plan	Application Number:	07 276032 STE 28 OZ and 07 276041 STE 28 SA
Details	OPA, Rezoning and Site Plan, Standard	Application Date:	November 5, 2007
Municipal Address:	510, 512 & 530 King Street East		
Location Description:	PL 187E LT18 PL 108 PT LT29 N/S KING PT LTS 17 & 18 S/S QUEEN ST **GRID S2813		
Project Description:	Corktown District Phase II- Demolish an existing industrial building and convert 2 existing industrial buildings into an 8-storey mixed commercial-residential development with 185 condominium units and 2 levels of underground parking.		

Applicant:	Agent:	Architect:	Owner:
Streetcar Developments Inc., 510 King Street East, Suite 310, Toronto, Ontario, M5A 1M1		Quadrangle Architects Limited, 380 Wellington Street West, Toronto, Ontario, M5V 1E3	510 KING STREET INVESTMENTS (GP) INC. AND 530 KING STREET INVESTMENTS (GP) INC., 510 King Street East, Suite 310, Toronto, Ontario, M5A 1M1

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area	Site Specific Provision:	No
Zoning:	I1 D3	Historical Status:	No
Height Limit (m):	12	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	4846.03	Height: Storeys:	8
Frontage (m):	82.5	Metres:	34.5 includes mechanical penthouse
Depth (m):	0		
Total Ground Floor Area (sq. m):	2651.81		Total
Total Residential GFA (sq. m):	14950.00	Parking Spaces:	162
Total Non-Residential GFA (sq. m):	2415.00	Loading Docks	1 Type G
Total GFA (sq. m):	17365.00		
Lot Coverage Ratio (%):	63		
Floor Space Index:	3.58		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	14950.00	0
Bachelor:	0	Retail GFA (sq. m):	2415.00	0
1 Bedroom:	94	Office GFA (sq. m):	0	0
2 Bedroom:	86	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	180			

CONTACT: PLANNER NAME: Diane Silver, Planner TELEPHONE: (416) 397-4648

Attachment 9: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2009

Enacted by Council: ~, 2009

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~2009

To adopt Amendment No. 81 to the Official Plan of the City of Toronto with respect to the lands municipally known as, 510, 512 and 530 King Street East

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS the Council for the City of Toronto, at its meeting of ~ 2009, determined to amend the Official Plan for the City of Toronto adopted by By-law No. 1082-2002; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 81 to the City of Toronto Official Plan, consisting of the attached text and map shown on Schedule "A" is hereby adopted.

ENACTED AND PASSED this ~ day of ~, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE “A”

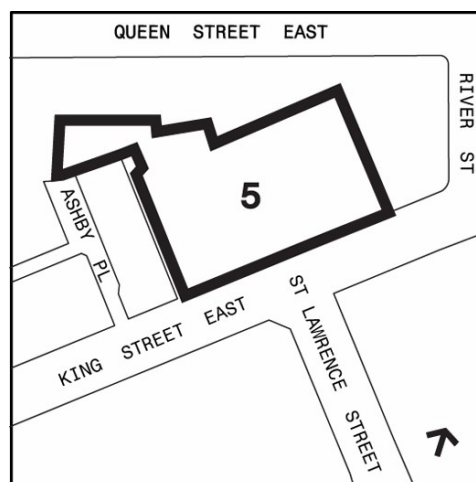
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 15, King-Parliament Plan is amended by adding the following to subsection 15 of Section 15, Site and Area Specific Policies:

“5. 510, 512 and 530 King Street East

On the lands shown as 5 on Map 15-3:

An eight-storey residential building is permitted.”



2. Map 15-3, Areas of Special Identity of the King-Parliament Secondary Plan is amended to show the lands known municipally as **510, 512 and 530 King Street East**, as Site and Area Specific Policy Area Number 5, as shown on the above map.

Attachment 10: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ^as adopted by City of
Toronto Council on ~, 2009
Enacted by Council: ~ , 2009

CITY OF TORONTO

BY-LAW NO. ~ 2009

**To amend former City of Toronto By-law No. 438-86, as amended,
in respect of lands known municipally as 510, 512 and 530 King Street East.**

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2008 as 510, 512 and 530 King Street East; and

WHEREAS the Council of the City of Toronto has conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. For the purposes of this By-law, the *lot* shall consist of the lands outlined by heavy black lines on Map 1 attached to and forming part of this By-law.
2. The lands identified with heavy lines on Map 1 attached hereto shall be rezoned from I1D3 to MCR T 3.6 C0.5 R3.1.
3. Section 4(2)(a) of By-law No. 438-86 shall not apply to the *lot*. For the purposes of this By-law, the *height* of all buildings on the *lot*, inclusive of the rooftop mechanical penthouse, shall not exceed the *height* in metres above *grade*, as specified by the numbers following the symbol “H” as shown on Map 2 attached to and forming part of this By-law, with the following exceptions:
 - (i) roof parapets are permitted to exceed the *height* permissions on the attached Map 2 provided the maximum vertical dimension of such elements shall not exceed the sum of 1.2 metres and the applicable maximum *height* in metres as specified on the attached Map 2;
 - (ii) window washing equipment is permitted to exceed the *height* permissions on the attached Map 2 provided the maximum vertical dimension of any such elements shall not exceed the sum of 2.0 metres and the applicable maximum *height* in metres as specified on the attached Map 2;
 - (iii) a privacy screen above the top storey is permitted to exceed the *height* permissions on the attached Map 2 provided the maximum vertical

dimension of such screen shall not exceed the sum of 3.2 metres and the applicable maximum *height* in metres as specified in the attached Map 2;

- (iv) a structure used for safety or wind protection purposes, elements of a green roof, landscaping elements and planters, privacy walls, guardrails, railings, trellises, a structure for outside or open air recreation, a chimney stack or other ornamental elements and the items referenced in paragraph 17 below, is permitted to exceed the *height* permissions on the attached Map 2 provided that the maximum vertical dimension of such elements shall not exceed the sum of 3.2 metres and the applicable maximum *height* in metres as specified on the attached Map 2; and
 - (v) the items in paragraph 4 below.
4. Rooftop mechanical areas, including a wall or structure enclosing a stair tower, elevator shaft or heating, cooling and ventilating equipment, shall be located in the area specified on the attached Map 2 and shall not exceed the building *height* shown on the attached Map 2; with the following exceptions:
- (i) a cooling tower with a height of up to 3.8 metres which is located adjacent to the rooftop mechanical area;
 - (ii) a generator with a height of up to 3.8 metres which is located adjacent to the rooftop mechanical area; and
 - (iii) pressurization equipment with a height of up to 1.2 m which is located on top of the rooftop mechanical area.
5. Sections 4(3) and 4(5) of By-law No. 438-86 shall not apply to the *lot*. *Parking spaces* shall be provided and maintained on the lot in accordance with the following:

Residents' Parking:

- (i) a minimum of 0.3 *parking spaces* per each bachelor *dwelling unit*;
- (ii) a minimum of 0.5 *parking spaces* per each one bedroom *dwelling unit*;
- (iii) a minimum of 0.75 *parking spaces* per each two bedroom *dwelling unit* or larger;

Visitor Parking:

- (iv) a minimum of 0.06 *parking spaces* per *dwelling unit* for visitors;
- (v) the visitors *parking spaces* required to be provided and maintained on the *lot* pursuant to this By-law shall be reserved at all times for residential visitors to the building and shall be individually designated by means of

clearly visible signs as being for the exclusive use of residential visitors to the building;

Other Parking:

- (vi) for 1 *car-share parking space* provided on the *lot*, for which the minimum resident parking required by (i), (ii), and/or (iii) above shall be reduced by 10 *parking spaces*;
 - (vii) 1 additional *car-share parking space* to be provided that will not count towards a *parking space* reduction;
 - (viii) all *car-share parking spaces* are to be located at *grade*;
 - (ix) 8 *parking spaces* to be provided on the *lot* to serve residential visitors to buildings located on the *phase one lands*;
 - (x) 26 *parking spaces* provided in a *parking station* on the *lot* with signage dedicating these spaces; and
 - (xi) where the calculation of the number of *parking spaces* required to be provided and maintained by subparagraph (i) – (x) above, results either in a fraction of a *parking space*, or in a whole number of *parking spaces* and a fraction of a *parking space*, the fraction if equal to or greater than 0.5 shall be taken to be 1.0 and added to the whole number of the *parking spaces* required to be provided and maintained, and if the fraction is less than 0.5 it shall be excluded from the determination of the number of *parking spaces* that are required to be provided and maintained in respect of the building or structure to be erected or used.
6. Section 4(8) of By-law No. 438-86 shall not apply to the *lot*. One *loading space – type G* shall be provided and maintained on the *lot* to serve the *mixed-use building* on the *lot*, which *loading space – type G* may also serve the buildings on the *phase one lands*.
7. Notwithstanding Section 4(13)(a) and (c) of By-law No. 438-86 no *bicycle parking spaces* shall be required for uses listed in sections 8(1)(f)(b)(iv), (v) and (vi) of said By-law.
8. The provision of *bicycle parking spaces – visitor*:
- (i) shall be located at *grade*, in the rear parking lot with weather protection;
 - (ii) shall not be located within a secured enclosure or room or bicycle locker; and

- (iii) shall be reserved at all times for visitors to the building and shall be designated by means of clearly visible signs as being for the exclusive use of visitors to the building in such areas.
9. The provision of *bicycle parking spaces – occupant*:
 - (i) shall be located only on the first level below *grade*; and
 - (ii) shall be common element and separate from and independent of individual storage spaces.
 10. *Bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - (i) *.75 bicycle parking spaces* for each *dwelling unit* of which 80 percent shall be *bicycle parking spaces – occupant* and 20 percent shall be *bicycle parking spaces-visitor*.
 11. Section 4(12) of By-law No. 438-86 shall not apply to the *lot*. *Residential amenity space* shall be provided and maintained on the *lot* as follows:
 - (i) Not less than 2.0 square metres of indoor *residential amenity space* per *dwelling unit* located in a multi-purpose room(s), at least one of which contains a kitchen and a washroom; and
 - (ii) a minimum of 377 square metres of outdoor *residential amenity space* of which at least 40 square metres is provided in a location adjoining, or directly accessible from indoor *residential amenity space*.
 12. Sections 4(10)(a) and 4(14) of By-law No. 438-86 shall not apply to the *lot*.
 13. Notwithstanding Section 4(17) of By-law No. 438-86, the minimum width of a *parking space* that is obstructed shall be 2.6 metres.
 14. Notwithstanding Section 8(1)(f) of By-law 438-86, no person shall use the *lot* or erect or use a building within the *lot* for any purpose except for one or more of the following uses:
 - (i) a *mixed-use building* containing any of the residential and non-residential uses permitted within an MCR district by Section 8(1)(f) of By-law No. 438-86, including uses *accessory* thereto;
 - (ii) a below grade *parking garage*, a *parking station*, and *car-sharing parking spaces*; and
 - (iii) 8 parking spaces provided in a below grade *parking garage*, for uses only related to residential visitors for the *Phase one lands*.

15. Section 8(2)11(i) of By-law No. 438-86, as amended, shall not apply to the *lot*.
16. Notwithstanding Section 8(3) Part I 1, 2 and 3 of By-law No. 438-86, the maximum *non-residential gross floor area* and *residential gross floor area* of all buildings or structures erected within the *lot* shall be as follows:
 - (i) the maximum *residential gross floor area* shall not exceed 14,950 square metres; and
 - (ii) the maximum *non-residential gross floor area* shall be 2,415 square metres.
17. Section 8(3) Part II 4 of By-law No. 438-86 shall not apply to the *lot*. The *mixed-use building* shall be located entirely within the *building envelope*, as shown on Map 2 attached to and forming part of this By-law, with the following exceptions:
 - (i) cornices, light fixtures, awnings, ornamental elements, parapets, landscape elements and planters, trellises, eaves, window sills, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, garbage/recycling enclosures, decorative architectural elements, bike racks, wheel chair ramps and underground garage ramps and associated structures;
 - (ii) structural column projections provided that they project no more than 1.1 metres beyond the face of the wall to which they are attached;
 - (iii) balconies provided they extend no more than 2.6 metres beyond the areas delineated by heavy lines on Map 2; except that balconies located within the shaded areas on Map 2 may extend no more than 4.7 metres beyond the areas delineated by heavy lines on Map 2;
 - (iv) a maximum of 3 canopies located at the ground floor level; and
 - (v) a continuous roof canopy provided it extends no more than 1.0 metre beyond the wall of the building.
18. Sections 8(3) Part XI of By-law No. 438-86 shall not apply to the *lot*.
19. Section 12(1)87 of By-law No. 438-86 shall not apply to the *lot*.
20. Sections 12(2)246(a) and 12(2) 270 of By-law No. 438-86 shall not apply to the *lot*.
21. City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such and agreement be registered on

title to the lands in the manner satisfactory to the City Solicitor, to secure the following matters:

- (i) provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, design to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
 - (ii) provide a green roof satisfactory to the Chief Planner and Executive Director, City Planning Division;
 - (iii) build in conformity with the Toronto Green Standard Checklist submitted by the applicant in November 2007, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - (iv) all *bicycle parking spaces* are provided and maintained only on the first level below *grade* for *occupant* spaces, and all at grade for *visitor* spaces;
 - (v) all *bicycle parking spaces* shall be common element and shall not be combined with storage lockers for residential units; and
22. For the purposes of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86 except for the following:
- (i) “*building envelope*” means a building envelope as shown by heavy lines on Map 2 attached hereto;
 - (ii) “*car-sharing motor vehicle*” means a motor vehicle available for short term rental, including an option for hourly rental, for the use of at least the occupants of buildings on the *lot*;
 - (iii) “*car-sharing parking space*” means a *parking space* that is reserved and actively used for a *car-sharing motor vehicle*.
 - (iv) “*car-share*” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;

- (v) “*lot*” means those lands outlined by a heavy black line on Map 1 attached hereto and which are known municipally in 2008 as 510, 512 and 530 King Street East;
 - (vi) “*parking station*” means an uncovered surface parking facility that is used for the parking of motor vehicles, either as an *accessory* use to the uses permitted on the *lot* or for users who are not occupants or customers of the building where the *parking station* is located;
 - (vi) “*phase one lands*” means those lands known municipally in 2008 as 52 Sumach Street, 549 King Street East and 33 Sumach Street, and 569 King Street East; and
 - (viii) “*residential amenity space*” means a common area or areas within the *lot* which are provided for the exclusive use of residents of the *mixed-use building* on the *lot* and/or the residents of the buildings on the *phase one lands*.
23. Notwithstanding any severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
24. All other provisions of By-law No. 438-86 continue to apply to the *lot*.

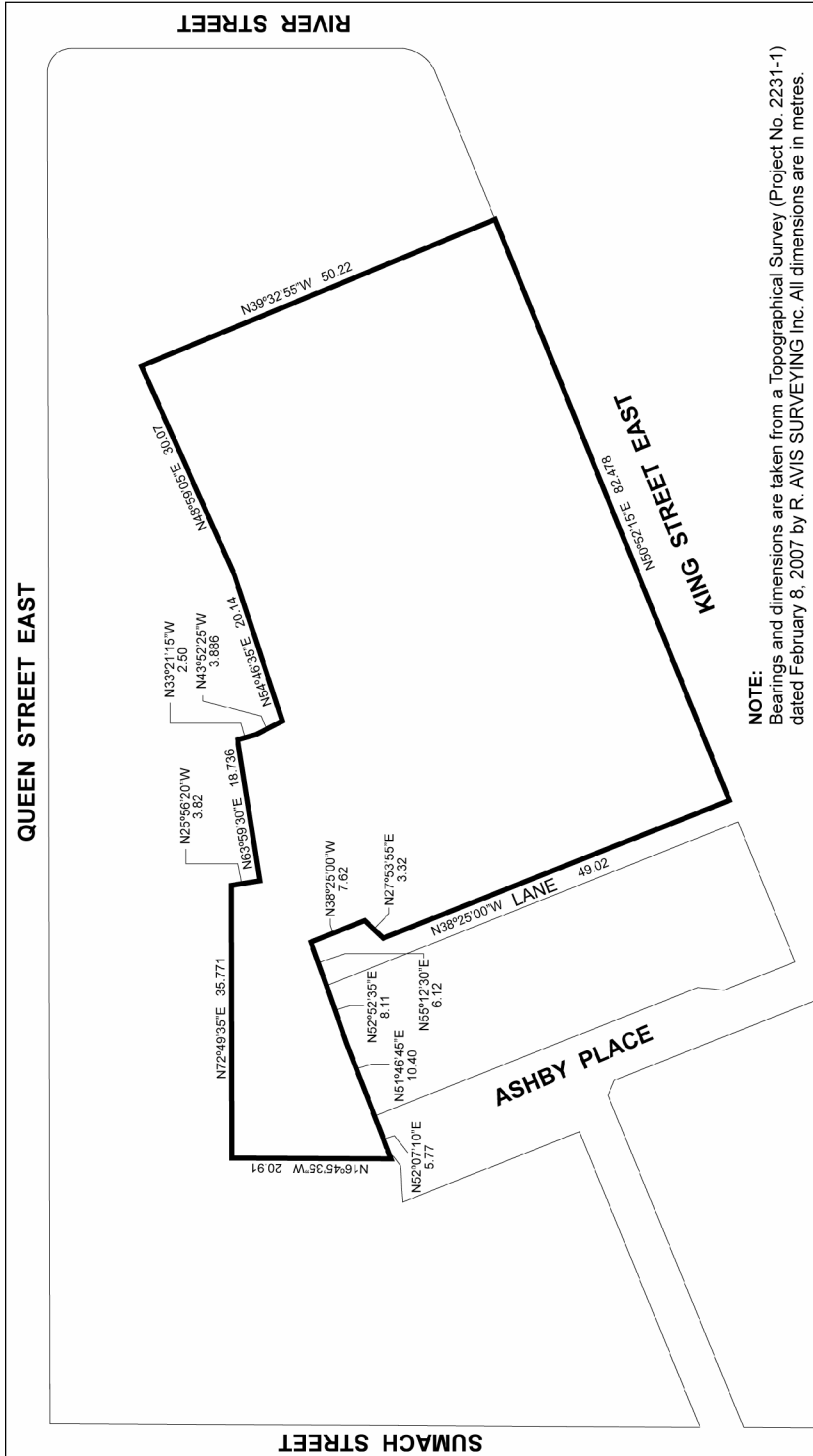
ENACTED AND PASSED this _____ ^ day of _____ ^, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI WATKISS,
City Clerk

(Corporate Seal)

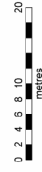
Map 1



510, 512 & 530 King Street East



File # 07_276032



04/15/09

