

**1030 King Street West – Zoning Amendment & Site Plan Applications - Request for Direction Report**

<b>Date:</b>	January 10, 2011
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	08-232225 STE 19 OZ and 10-250037 STE 19 SA

**SUMMARY**

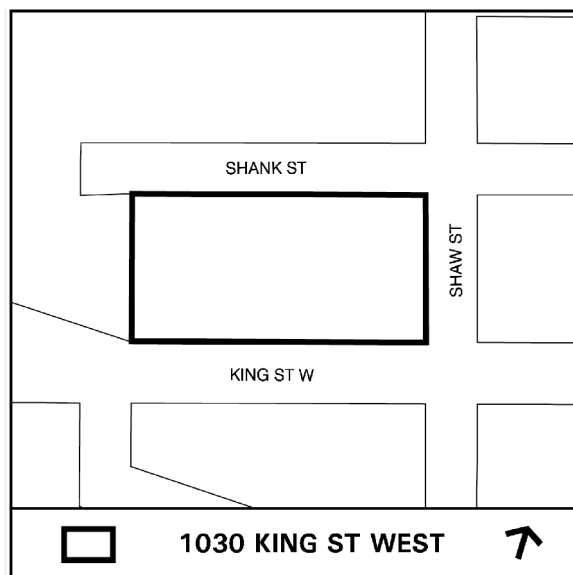
The Zoning By-law amendment and Site Plan Control applications for 1030 King Street West have been appealed to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision on the applications within the time allotted by the Planning Act and the City of Toronto Act, 2006. The applications propose to demolish the existing one-storey DaimlerChrysler car dealership building to be replaced with two 10-storey towers fronting King Street West with two 14-storey towers running perpendicular to King Street, through the interior of the site to Shank Street.

The purpose of this report is to seek City Council’s direction for the City Solicitor to oppose the proposal in its current form at the OMB and to advise the OMB of Council’s position regarding the appropriate form of development on the site.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board (OMB) hearing to oppose the owner’s



zoning appeals and site plan referral.

2. City Council direct the City Solicitor to also advise the OMB that City Council's position is that any redevelopment of the site at 1030 King Street West, if approved by the OMB, should:
  - a. secure services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner and Executive Director; and
  - b. satisfy the Chief Planner and Executive Director with respect to site plan matters, including the approval of plans and drawings and site plan conditions.
3. City Council authorize the City Solicitor and City staff to take any necessary steps to implement the foregoing.

### **Financial Impact**

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

### **DECISION HISTORY**

There are no previous applications or decisions related to the subject property.

### **ISSUE BACKGROUND**

#### **Proposal**

##### **Original Proposal:**

On December 30, 2008 an application was submitted to redevelop the former DaimlerChrysler car dealership lands with a terraced 9 to 15-storey condominium at 1030 King Street West. The proposed building was designed in a "W" shape, with two 10-storey (36 metre tall) wings on the east and west sides and a central wing of 15-storeys (52 metres tall). The building wings were to be perpendicular to King Street, separated by approximately 20 metres, and conjoined by two 12-storey (42 metre tall) buildings parallel to Shank Street. The project would have had: a 2-storey podium containing commercial/retail space on the ground floor focused along King Street; two storey townhouses along the west walkway (opposite the Sudbury townhouses); live-work townhouses on the corner of Shaw and Shank Streets; and, the main residential lobby fronting Shank Street.

An approximate total of 673 residential units were originally proposed with a rough breakdown being 508 (75%) one bedroom/one bedroom + den units, 142 (20%) two bedroom and live-work townhouse units and 23 (5%) bachelor units. The total gross floor area for the project was to be just over 49,000m<sup>2</sup> (527,990 sq.ft.), of which 5,500m<sup>2</sup> (60,000 sq.ft.) would have been for commercial/retail uses – 3,200m<sup>2</sup> at ground level and 2,300m<sup>2</sup> below grade. The proposed gross floor area would represent an overall density of 6.9 times the area of the lot.

A total of approximately 647 parking spaces were proposed in a four level underground parking garage that would have been accessible from Shank Street. The first underground level (P1) would have been dedicated as a large shared retail and visitor parking area, with potential space to provide additional commercial/retail space linked to the ground floor. The required residential parking would have been located on the remaining parking levels (P2 through P4), with those levels being exclusive to resident parking. There were also 200 bicycle parking spaces proposed for residents and visitors. Servicing and loading was proposed to be located at the northeast corner of the site, with ingress and egress off Shank and Shaw Streets.

### **Revised Proposal:**

The applicant submitted a revised proposal on June 11, 2010. The revised design consists of two back to back "L" shaped towers that would each have a 10-storey (33 metre tall) wing fronting King Street and a 14-storey (47 metre tall) wing running perpendicular to King Street, through the interior of the site to Shank Street. The two towers would have a separation distance of 25 metres. The building would still have a 2-storey podium containing commercial/retail space on the ground floor with 2-storey townhouses along the west walkway (opposite the Sudbury townhouses). The podium would rise to 4 storeys (15 metres) along Shank Street and contain ground level units having access off of Shank Street and Shaw Street. The entrance to the main residential lobby has been moved from Shank Street to King Street.

The revised proposal represents a total density of 6.4 times the area of the lot. The total gross floor area for the project is now proposed at 42,868m<sup>2</sup> (461,442 sq.ft.), of which 1,718m<sup>2</sup> (18,493 sq.ft.) is proposed for commercial/retail uses. An approximate total of 602 residential units are proposed with a rough breakdown being 461 (77%) one bedroom/one bedroom + den units, 99 (16%) two bedroom and live-work townhouse units and 42 (7%) bachelor units.

A total of 331 parking spaces are now being proposed in two levels of underground parking that will still be accessed from Shank Street. Of the 331 spaces, 6 will be car share spaces, 18 will be dedicated for visitor parking and 18 spaces will be available as commercial parking spaces. Servicing and loading will still be located at the northeast corner of the site, with ingress and egress now solely provided off Shaw Street.

For further statistical information, refer to the Application Data Sheet found at Attachment 4 of this report.

### **Site and Surrounding Area**

The site, municipally referred to as 1030 King Street West, is located on the northwest corner of King Street West and Shaw Street. The rectangular shaped lot has an area of 0.67 hectares with 115.1 metres of frontage on King Street, 57.9 metres flanking Shaw Street and 114.9 metres abutting Shank Street along the rear property line.

The large 1-storey concrete building and several related structures of the former DaimlerChrysler car dealership on the subject lands are vacant and will be demolished.

Land uses surrounding the site are as follows:

- North: 9-storey residential co-op building across Shank Street with the Centre for Addiction and Mental Health (CAMH) lands further north
- South: 10-storey residential condominium building across King Street
- East: 9-storey residential condominium building across Shaw Street
- West: 3-storey stacked townhouse development

## **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. Section 3.5(a) of the Planning Act states that City Council's planning decisions "shall be consistent with the policy statements that are in effect on the date of the Decision," which would include 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. Section 3.5(b) of the Planning Act states that City Council's planning decisions "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be," which would include the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject property is located within an *Avenues* area on the Urban Structure Map (Map 2) and is designated *Mixed Use Areas* on the Land Use Plan Map (Map 18).

The property, 1030 King Street West, is located along the King Street West *Avenue*, designated in the Official Plan between Bathurst Street and the railway underpass west of Sudbury Street. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities. *Avenues* are identified as an area where growth can be best accommodated, with mixed use *Avenues* emphasizing residential growth.

Section 2.2.3.1 outlines that the reurbanizing of the *Avenues* will be achieved through the preparation of *Avenue* Studies for strategic mixed use segments of the corridors shown on Map 2. However, the Plan acknowledges that not all of the *Avenues* can be studied, and some, which function well and already serve as "main streets" that are focal points for the local community, may not need further study at all. Development may be permitted on these *Avenues* prior to an *Avenue* Study and will be considered on the basis of all of the policies of the Official Plan. Development on the *Avenues* prior to an *Avenue* Study will

implement the policies of the Plan for the relevant designation area, which for this site is *Mixed Use Areas* (2.2.3.3a). Because development in *Mixed Use Areas* on *Avenues* has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*, in addition to the policies of the Plan, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located (2.2.3.3b).

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses. The Official Plan provides development criteria for *Mixed Use Areas*, which include, but are not limited to, that will:

- a) 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;
- b) provide for new jobs and homes for Toronto's growing population on underutilized lands;
- c) 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, particularly towards lower scale Neighbourhoods;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- e) 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;
- f) provide an attractive, comfortable and safe pedestrian environment;
- g) have access to schools, parks, community centres, libraries and childcare;
- h) take advantage of nearby transit services;
- i) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Official Plan also provides policies that are aimed at ensuring that the built form of new development fits within the context of the neighbourhood and the City. The Built Form Policies are included in Sections 3.1.2.1 to 3.1.2.6.

In addition, the Garrison Common North Secondary Plan applies to the site; however, the lands are not located within any of the site specific policy areas identified within the Plan

and are therefore subject to the Secondary Plan's general policies outlining the objectives and direction for the area.

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)

## **Zoning**

Under former City of Toronto Zoning By-law 438-86 the subject site is zoned CR T2.5 C0.5 R2.5 (Attachment 6). The CR zoning classification permits a mix of commercial and residential uses up to a total density of 2.5 times the area of the lot, of which a maximum of 0.5 times the area of the lot is permitted to be commercial and 2.5 times the area of the lot residential. The maximum permitted height for the site is 18.0 metres.

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized, Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. As the subject site is not represented by a "hole" in By-law 1156-2010, the owner submitted an appeal of By-law 1156-2010 by letter dated September 30, 2010. In its appeal letter, the owner's solicitors stated, *inter alia*,

"Instead of being shown as "Not Part of this By-law" on the applicable Zoning Map (49G-22), the Subject Property has instead been zoned CR 2.5 (c0.5; r2.5) SS2, and has been given an 18 metre height restriction and made subject to various site-specific exceptions and prevailing by-laws. Given the extensive consultation undertaken to date and the advanced state of processing of the rezoning application, the zoning proposed for the Subject Property in the New Zoning By-law is clearly inappropriate and does not reflect the emerging planning principles or the stated position of City staff."

This appeal may also have to be resolved as part of the OMB hearing of the owner's appeal of its site specific zoning application and site plan referral.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan approval was submitted on August 31, 2010 and has been circulated to all the relevant City divisions for review. The owners of the site filed a site plan referral to the OMB on October 21, 2010 pursuant to Subsection 114(15) of the City of Toronto Act, 2006.

## **Community Consultation**

A Community Consultation Meeting was held on April 14, 2009 to present the original terraced 9 to 15 storey submission. Approximately 90-100 people attended. Following presentations from the local Councillor, City staff and the applicant a number of issues were discussed, including:

- Numerous residents felt that the proposed height of the building was drastically out of character with the neighbourhood and out of context with this portion of King Street;
- A number of adjacent property owners expressed serious concern that the proposed building would cast an unacceptable shadow on the adjacent townhouses and apartment building;
- The density and massing should be directed towards King Street and away from Shank Street, similar to every other development along the north side of King Street;
- Many complained that the King streetcar is already overloaded, especially during rush hour, commenting that the transit in the area can't support a development of this size considering the already approved development in the pipeline for this neighbourhood;
- Locating the entrance to the underground parking garage off of Shank Street will result in disrupted traffic movement in the area with cars queuing up to make left hand turns off of Shaw Street and trying to make a left on to Shaw Street from Shank Street;
- The number of proposed units in the building will introduce a significant amount of vehicular traffic in the neighbourhood, which is already getting too congested;
- Given the size of the lot, there was a desire expressed for some of the site to be dedicated for public parks space for use by the community;
- While there was a consistent lack of support for the building, it was expressed by some that if it were approved it should result in a large Section 37 contribution towards a benefit that will directly improve the lives of surrounding residents;
- The modern design of the building does not respect the built form character of King Street and surrounding neighbourhood;
- The building proposes to introduce too many smaller units, there is a strong desire to see more larger units geared towards families provided in this neighbourhood;
- The size of the retail space proposed would attract a big box type of tenant; many residents felt that was undesirable and impractical;
- The project should provide more commercial parking spaces to service the retail and visitor needs to ensure that the development won't result in more on-street parking, which will take away spaces needed by the residents who have on-street parking permits in the area;
- Many residents felt that just because the developers believed that this was the last parcel available for redevelopment for this portion of King Street it does not justify them proposing a development that is larger than every other building around it.

Letters and e-mails were also submitted by area residents which echoed similar concerns.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in the evaluation of the application.

## **Reasons for the Application**

The applicant has submitted a rezoning application to permit a building that exceeds the 18.0 metre maximum height limit permitted for the site, as well as the 2.5 x total density as set out in Zoning By-law No 438-86 of the former City of Toronto. A significant reduction in the number of parking spaces required to be provided is also proposed.

The proposed height of 47 metres (53 metres to the top of the mechanical penthouse) and proposed density of 6.4 times the area of the lot do not comply with the zoning by-law.

The rezoning application was deemed complete and a Notification of Complete Application was issued on January 29, 2009.

## **Ontario Municipal Board Appeal**

On August 27, 2010 the City Clerk's Office received notification that the applicant filed an appeal of the Zoning By-law Amendment application to the Ontario Municipal Board, citing Council's failure to make a decision on the application within the prescribed timelines as per the Planning Act.

The City Clerk received further notification on October 21, 2010 that the applicant filed a site plan referral to the Ontario Municipal Board for failure by the City to approve the plans or drawings within the prescribed timelines pursuant to Subsection 114(15) of the City of Toronto Act, 2006.

On September 30, 2010 the property owners for 1030 King Street West have also submitted an individual appeal to the new harmonized City of Toronto Zoning By-law, 1156-2010.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2005) includes policies to manage and direct land use to achieve efficient development and land use patterns. Section 3.(5)(a) of the Planning Act states that City Council's planning decisions "shall be consistent with the policy statements that are in effect on the date of the Decision," which would include the PPS. The PPS promotes wise management of change and promotes efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.

The policies include ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Although the PPS encourages intensification, it also refers to the wise management of change and promotion of healthy, liveable



communities. This proposal does not set a positive precedent for intensification in this context, in a manner that implements the City's Official Plan.

The Growth Plan for the Greater Golden Horseshoe prepared by the Ministry of Public Infrastructure Renewal guides decisions on a wide range of issues such as transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection. Section 3.(5)(b) of the Planning Act states that City Council's planning decisions "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be," which would include the Growth Plan for the Greater Golden Horseshoe.

Under the Growth Plan, the site generally meets the definition of a *greyfield site*, is located in an area that is classified as a *Built Up Area* on Schedule 2, is located in close proximity to several *Improved Higher Order Transit* lines such as the King Street and Queen Street streetcar lines.

The redevelopment and intensification of this site represents the type of development that is consistent with the intent of the Growth Plan for the Greater Golden Horseshoe; however, the proposed built form is not consistent with the built form policies contained within the Official Plan. Staff is supportive of redevelopment of the site in a manner that is consistent with the objectives of the Growth Plan, however the built form must be respectful of its existing and planned contexts.

## **Land Use**

The proposed residential use is appropriate for this site given the context of the neighbourhood and the existing condominium buildings on King Street. The subject lands' designation as *Mixed Use Areas* in the Official Plan also allows for residential uses as do the policies of the Garrison Common North Secondary Plan.

## **Density, Height, Massing**

The proposed development would result in a density of 6.4 times the area of the lot (42,868m<sup>2</sup>). Of the permitted 2.5 times total density currently permitted by the zoning by-law, a maximum of 0.5 times the area of the lot is permitted to be commercial and 2.5 times the area of the lot is permitted to be residential. The applicant is proposing a commercial density of 0.26 times the area of the lot (1,718m<sup>2</sup>) and a residential density 6.16 times the area of the lot (41,150m<sup>2</sup>). The highest density previously approved in the immediate neighbourhood was 5.6 times the area of the lot, which was for the condominium development by the same owners on a similar sized site on the south-east corner of King and Shaw. This proposal represents a significant increase in density over the existing context, especially considering the size of the lot and the corresponding gross floor area such a density allows for.

In its current form, the two proposed 14-storey towers do not adequately respect and relate to their existing context. The Official Plan directs new buildings to be designed to fit harmoniously into their existing and/or planned contexts by ensuring that the massing of new buildings is appropriate in relationship to neighbouring development (Policy

3.1.2.1). The proposed height and massing of the proposed building does not provide an adequate transition in scale to existing buildings along King Street and fails to provide an appropriate transition to the surrounding neighbourhood along Shank Street.

Planning staff do not require an Avenue Study to be completed or the submission of an Avenue Segment Study prior to staff's review of the subject rezoning application given the level of development that has already occurred along this portion of King Street West. The previous approvals obtained along this stretch of King Street have already established a consistent context against which the current proposal can be evaluated. It is the position of staff that the current proposal does not reflect the consistent context and character established for this portion of King Street as the scale and density of the building is larger than those previously approved and does not provide a suitable transition to the adjacent neighbourhood.

### **Letter to the Applicant**

Throughout the months of January and February, 2010, the applicants presented and submitted informal revised proposals to Planning and the local Councillor's office that they felt responded to the concerns expressed by Planning and the community with respects to their original proposal. Those revised submissions reflected a similar design to their current proposal in that they proposed two "L" shaped towers sitting atop a 2 storey podium, however, the two towers were 15 storeys tall, had a closer separation distance than 25 metres and had minimal setbacks from King Street and Shank Street, amongst other more minor differences.

On March 1, 2010, Planning staff sent a letter to the applicant in response to their informal submissions indicating that Planning could not support their amended proposal without further revisions to the design as it was not in keeping with the existing context on King Street or Shank Street. It noted that when presented with a conceptual proposal in November of 2009, Planning staff indicated that "if Planning were to support any increase in height over the 9 to 10 storeys characteristic of King Street West, it could be no higher than 12 storeys with the massing located towards the interior of the site and significant setbacks occurring at the King Street and Shank Street Frontage". The letter presented a number of revisions which collectively could improve the proposal.

However, the June 11, 2010 revised submission does not justify any increase in height over the 9 to 10 storeys characteristic of King Street West. Since that June 11, 2010, revised submission, Planning and Urban Design staff have conducted a more detailed review of the application and concluded that further sculpting and setbacks for the podium and towers would be required beyond what was noted in the March 1, 2010 letter. Staff has also identified other development options for the site that would be more contextually appropriate for the area and provide a more suitable transition to the adjacent neighbourhood, which staff would be prepared to discuss with the owner and bring back to Council.

In addition, City Council on July 6, 7 and 8, 2010, directed staff to use the Mid-Rise Building Performance Standards in the evaluation of all new and current mid-rise

development proposals on the Avenues and in the implementation of future Avenue studies so that the Avenues “vision” can be realized more quickly and effectively.

### **Sun, Shadow, Wind**

The applicants have not submitted complete and adequate shadow diagrams for the revised submission for Planning to be able to evaluate the full shadow impacts of the proposed development. Given the information available to staff, there is concern that the height of the proposed building may result in shadow being cast on the Joseph Workman Parkette. Ensuring sunlight and creating minimal shadow on the park so as to preserve the utility of the park is a priority as the 1030 King Street West site is located in a parkland priority area that is in the lowest quintile of current provision of parkland

The Built Form Policies in the Official Plan outline that any new buildings adjacent to a park create minimal shadow impacts and maintain sunlight for pedestrians to preserve the utility of the park. The Design Criteria for Tall Buildings also outline that new development will be massed to fit harmoniously into its existing context and will limit its impacts on neighbouring streets, parks and open spaces by providing for adequate light and limiting any shadowing. In addition, no new shadows are to be introduced on parkland between the hours of 10:00 a.m. and 4:00 p.m. on September 21<sup>st</sup>. A tall building is defined as generally, a building whose height is greater than the width of the right of way of the principal street on which it is located, which applies to the subject proposal and site.

Staff require a completed and satisfactory shadow study prior to being able to sufficiently comment on the shadow impacts of the proposal on the adjacent properties, streets and parks.

### **Traffic Impact, Access, Parking**

Technical Services staff have reviewed the revised application and have no concerns with the traffic impacts of the proposal in terms of the surrounding street network.

The proposal includes 289 resident parking spaces, 18 visitor parking spaces, 18 commercial/retail spaces and 6 car share spaces in a two-level parking garage. Transportation Services staff requires that a total of 470 parking spaces be provided for this project, consisting of 411 resident spaces, 36 visitor spaces, 17 retail spaces and 6 car-share spaces. This parking requirement takes into account a reduction of 4 resident spaces for each car share parking space provided.

Acceptable documentation justifying the proposed parking supply has not been submitted by the transportation consultant that has been retained by the proponent. As a result, Transportation Services has indicated that they cannot support the reduction in the provision of parking as currently proposed.

The current proposal provides access to the underground parking garage off Shank Street with the entrance to the service, loading and garbage area being located on Shaw Street.

Transportation Services has not identified any concerns with respect to the access driveway locations.

## **Servicing**

A Functional Servicing Report and Stormwater Management Report and Grading Plan was submitted with the application and circulated to Technical Services for review. Technical Services advised the applicant on October 25, 2010 that further revisions are required.

## **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 was submitted by the applicant on August 31, 2010 and is required to comply with the Tier 1 performance measures.

## **Section 37**

Section 37 of the Planning Act allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment. Section 5.1.1.4 of the Plan allows Section 37 to be used for development with more than 10,000 square metres of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or significantly increases the permitted height.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. Discussions regarding Section 37 benefits between the applicant and the City did not occur as there was not an agreement on appropriate development for the site. However, as this matter has been appealed to the OMB, the City Solicitor would need to address Section 37 matters in the event the OMB approved development on this site. This report therefore recommends that the City Solicitor secure such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner if a development is approved for the site.

Discussions have been had with the local Councillor and the applicant where City staff have suggested that the City should be securing a benefit in the order of 1.5 million dollars to be directed towards the construction of the King Liberty Pedestrian/Cycle link or other community or parks improvements.

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

The application proposes 602 residential units on a site of 0.668 hectares (6,680m<sup>2</sup>). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.803 hectares (8,030.0m<sup>2</sup>). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.0668 hectares (667.9m<sup>2</sup>).

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 and the site is fully encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit if an approval of the project is granted.

## **Development Charges**

At the time of the writing of this report it is estimated that the development charges for this project if approved would be \$3,295,301.50, however, the development charges will be increasing as of February 1, 2011. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit if an approval of the project is granted.

## **Conclusion**

The site is located within close proximity to transit, retail, service and entertainment facilities and to places of employment. The *Avenue* and *Mixed Use Areas* designation speak to the intensification and reurbanization of this site in a manner that is consistent with its existing and planned context.

City Planning staff are supportive of the redevelopment of the site and anticipate some form of intensification but only in a manner that is respectful of the existing context. Staff do not support the two proposed 14-storey towers for this location as the design does not meet the City's built form policies and does not adequately respect and relate to the context already established for this portion of King Street West. The proposed height and density does not provide a suitable transition to the adjacent neighbourhood and would, if approved, create a negative precedent and generate certain negative impacts on

adjacent properties. It is the opinion of staff that the subject proposal represents an overdevelopment of the site.

It is for these reasons that staff recommend that the application be refused in its current form and that staff be directed to attend the Ontario Municipal Board hearing in support of this position. This report also recommends that any redevelopment of the site should be conditional upon securing Section 37 matters and appropriate site plan conditions.

## **CONTACT**

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## **SIGNATURE**

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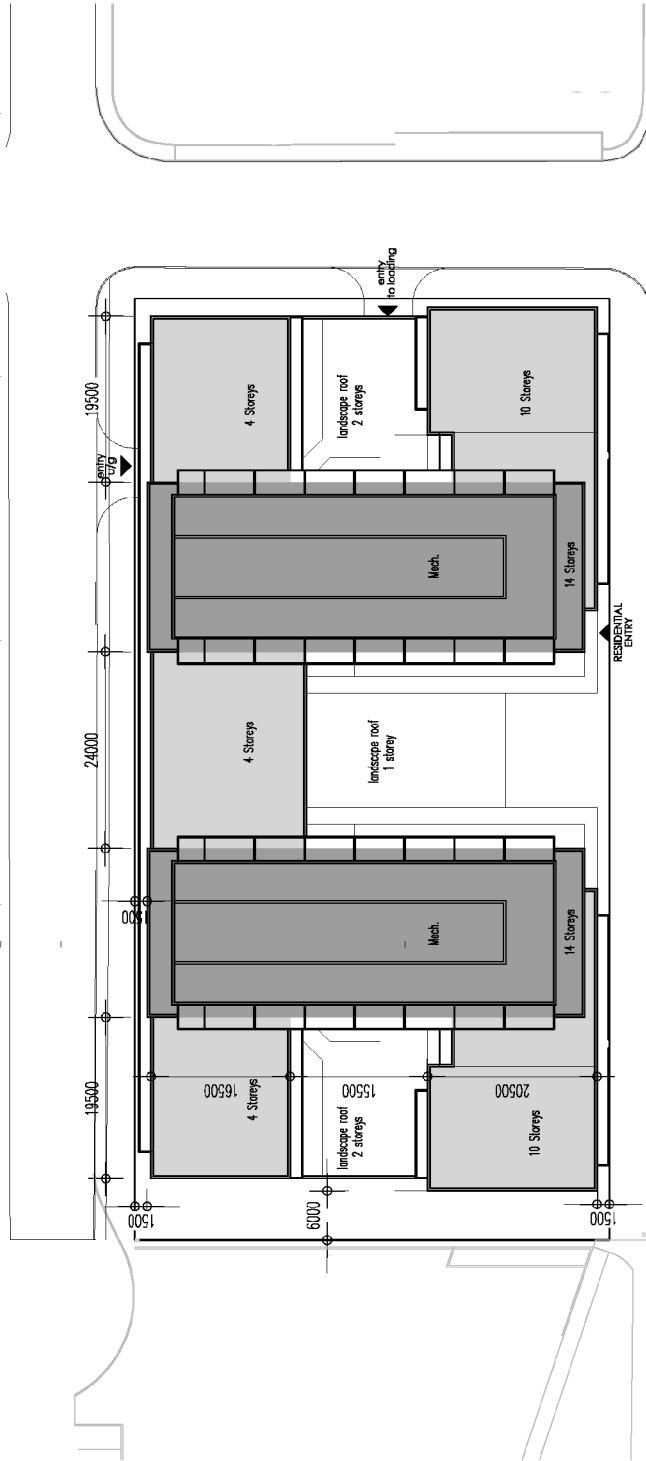
Gregg Lintern, MCIP, RPP,  
Director, Community Planning,  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet

# Attachment 1: Site Plan



1030 King Street West

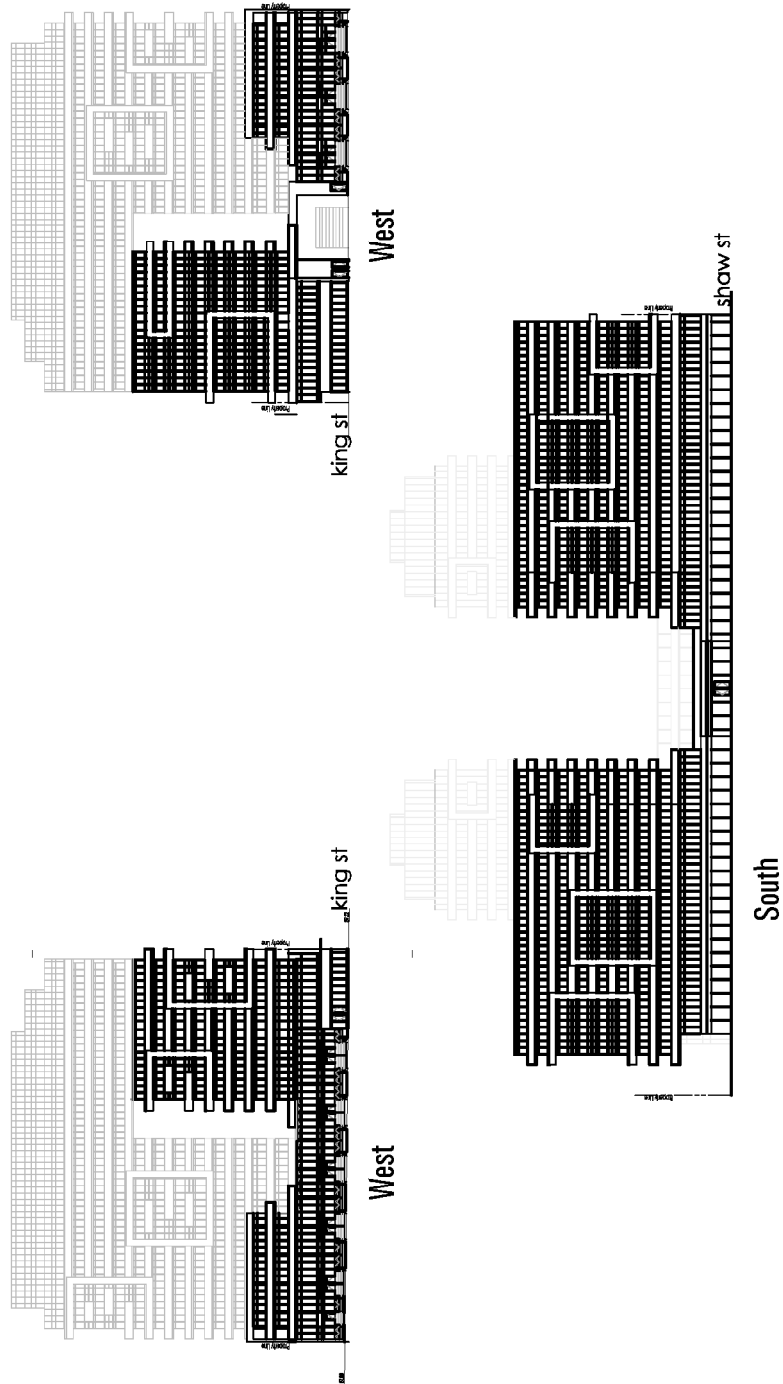
File # 08 232225 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale  
01/05/2011

## Attachment 2: Elevations



1030 King Street West

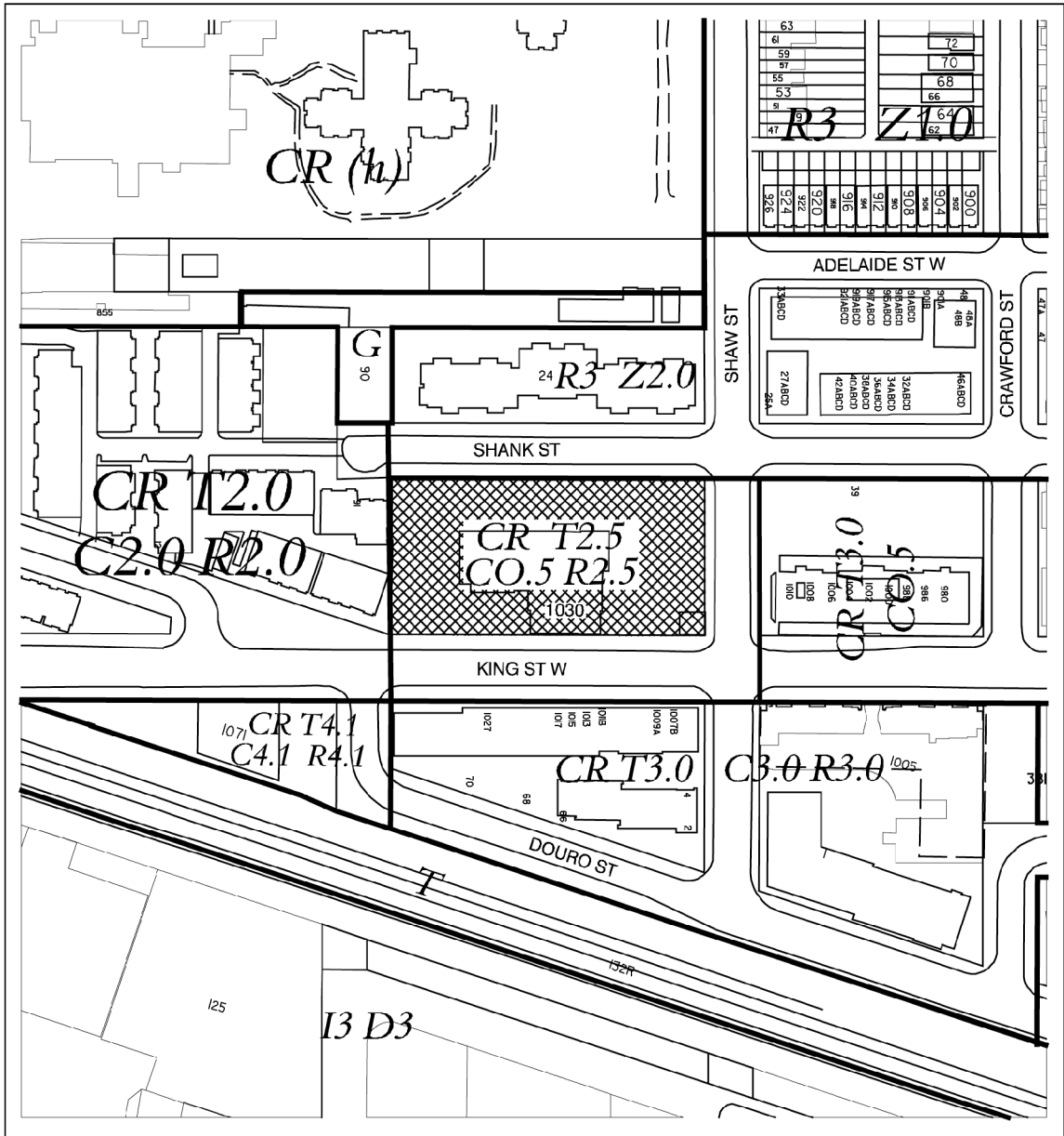
Elevations  
Applicant's Submitted Drawing

Not to Scale  
01/05/2011

File # 08 232225 0Z



### Attachment 3: Zoning



**TORONTO** City Planning  
Zoning

1030 King Street West  
File # 08\_232225

- G Parks District
- R3 Residential District
- CR Mixed-Use District
- I3 Industrial District
- T Industrial District
- (h) Holding District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 01/20/09 - DR

### Attachment 4: Application Data Sheet

Application Type	Site Plan Approval	Application Number:	08 23225 STE 19 OZ 10 250037 STE 19 SA
Details		Application Date:	August 31, 2010

Municipal Address: 1030 KING ST W  
 Location Description: PART ORDNANCE RESERVE RP 66R15016 PART 3 \*\*GRID S1908  
 Project Description: Site plan approval application for new mixed use building 14 stories in total @ residential towers above common podium. 331 parking spaces 2 levels below grade - 602 residential units.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Armstrong Hunter and Associates		Graziani + Carozza Architects Inc.	1030 King General Partner Inc.

#### PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas	Site Specific Provision:
Zoning: CR T2.5 C0.5 R2.5	Historical Status:
Height Limit (m): 18	Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	6,677	Height:	Storeys:	14
Frontage (m):	114.5		Metres:	53
Depth (m):	57.5			
Total Ground Floor Area (sq. m):	5,492			<b>Total</b>
Total Residential GFA (sq. m):	41,150		Parking Spaces:	331
Total Non-Residential GFA (sq. m):	1,718		Loading Docks	2
Total GFA (sq. m):	42,868			
Lot Coverage Ratio (%):	82.3			
Floor Space Index:	6.4			

#### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	42
1 Bedroom:	461
2 Bedroom:	99
3 + Bedroom:	0
Total Units:	602

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

		Above Grade	Below Grade
Residential GFA (sq. m):	41150		315
Retail GFA (sq. m):	1718		30
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

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