

**101 King Street East and 54-70 Colborne Street -  
Zoning Amendment Application - Preliminary Report**

<b>Date:</b>	March 27, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	12 130075 STE 28 OZ

**SUMMARY**

The site for the proposed building is located in the St. Lawrence Neighbourhood. This application proposes a 25-storey mixed-use development at 101 King Street East and 54-70 Colborne Street. The proposed development is 82 metres tall including the mechanical penthouse. It contains 281 residential units and 890 square metres of ground floor retail space. The proposal includes 186 car parking spaces in five levels of underground parking.

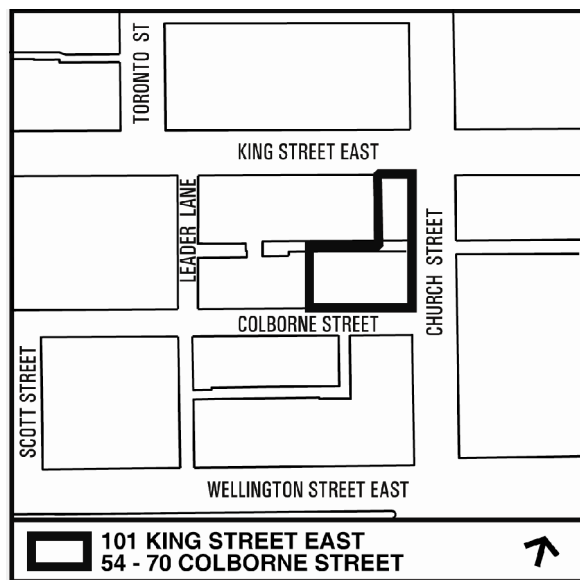
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The next step is to conduct a community consultation meeting to allow the public to review the application and provide feedback. This meeting is expected to take place in the 2<sup>nd</sup> quarter of 2012.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

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



- the lands at 101 King Street East and 54-70 Colborne Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
  3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In 1994, City Council approved site specific by-law 1994-0653 which permitted a mixed use development on the property with a maximum height of 26 metres (approximately 9 storeys) along Colborne Street stepping down to 16 metres along Church Street and King Street East and a gross floor area of 10,241 square metres. The project was never built.

City Council adopted the St. Lawrence Neighbourhood Focused Area Urban Design Guidelines at its meeting of July 19, 20, 21 and July 26, 2005. The property is located in this study area. The guidelines set out planning and urban design objectives for enhancement of areas of special character and for the improvement and enhancement of the public realm.

Council identified the St. Lawrence Heritage Conservation District Study Area on September 28-30, 2005 for an area with similar boundaries to the area covered by the St. Lawrence Neighbourhood Focused Urban Design Guidelines. The study area for the Heritage Conservation District was termed “Phase 1”, as it was possible that other areas in the neighbourhood would be designated and studied in the future.

On October 26, 2009 Council approved the amendment of the St. Lawrence Conservation District Study area inclusive of the area located east of Yonge Street (including the buildings on the west side of the street), south of Adelaide Street East (including buildings on the north side of the street), west of Parliament Street (including all buildings on the east side of the street) and north of the railway corridor.

City Council adopted a Community Improvement Plan for the St. Lawrence Neighbourhood Community Improvement Project Area at its meeting on January 29 and 30, 2008. The document forms a public realm strategy for the southwest quadrant of the St. Lawrence Neighbourhood.

A zoning by-law amendment application was filed for the subject site by Diamond and Schmitt Architects on behalf of Great Gulf Urban Properties Inc. in March, 2008 to permit a 39-storey residential condominium tower including a 7-storey podium and retail uses at street level.

The City Planning Division wrote a report for the July 7<sup>th</sup>, 2008 meeting of Toronto and East York Community Council recommending that the applicant revise the proposal to conform to the Design Criteria for Review of Tall Building Proposals and the St. Lawrence Area Neighbourhood Focused Urban Design Guidelines by increasing the stepback above the podium on Colborne Street, decreasing the building height in keeping with other building heights in the height sensitive area of St. Lawrence Neighbourhood, decreasing the size of the floorplate and revising the podium to be consistent with the lower scale of Colborne Street. The application was closed by planning staff in 2009.

## **Pre-Application Consultation**

A pre-application consultation meeting was held on August 8<sup>th</sup>, 2011 with the applicant to discuss complete application submission requirements. An on-site meeting with the applicant was held on Monday November 7<sup>th</sup>, 2011 to review the site context and site constraints.

The following issues were discussed:

- tower height and stepbacks
- sunlight protection for St. James Park and the Cathedral lands
- height of the podium
- adherence to the St. Lawrence Neighbourhood Focused Area Urban Design Guidelines
- heritage building adjacency issues
- site access for the adjacent buildings fronting onto King Street East
- family sized units
- residential amenity space.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing a 25-storey building that includes a 6-storey base building that steps up to 11-storeys along the King Street East and Church Street Frontages. The proposal is 82 metres in height including the mechanical penthouse. At the seventh floor, the building steps back 4.23 metres from Colborne Street, 10.64 metres from the western property line, 1.96 metres along Church Street and 2.01 metres along King Street East. There is an additional stepback to the tower at 12 storeys of 38.32 metres along King Street East and 2.74 metres along Church Street. The proposed floorplate for floors seven to 11 is 900.8 square metres. Floor plates vary from 501.5 metres to 650.2 metres for floors 12-25 due to the design of the tower.

The proposed building contains 281 residential units in total. This includes 87 bachelor units (31%), 141 one-bedroom units (50%) and 53 two-bedroom units (19%). The applicant has advised they intend to register these as condominium units. The proposal also includes 890 square metres of ground floor retail space. The ground floor retail area has a proposed height of approximately 6.2 metres.

Pedestrian amenity improvements proposed by the applicant include sidewalk widenings of 0.8 metres on King Street East, 0.7 meters along Church Street and 0.8 metres along Colborne Street. Continuous weather protection would be provided by overhangs at the second floor for the depths of these setbacks.

The applicant is proposing 186 parking spaces in five levels of underground parking, which includes 69 commercial parking spaces on levels P1 and P2 and 117 residential parking spaces on P3 – P5. No dedicated spaces are proposed for visitors or the retail component of the development. There would be one loading space located on the ground floor. Vehicular access to and from the development will be from an internal 7.8 metre wide driveway located off Church Street. The driveway would be split in its ownership on the western part of the site. This private lane also serves the properties at 75-95 King Street East.

The applicant is also proposing 284 bicycle parking spaces including 226 for residents and 58 for visitors. The residential bicycle parking will be located on parking levels one through five. Approximately half of the visitor bicycle parking spaces will be located at grade and the other half will be located in the first level of the underground parking garage.

The applicant is proposing 92 square metres of indoor amenity space to be provided on the 12<sup>th</sup> floor. There is also 314 square metres of outdoor amenity space also located on the 12<sup>th</sup> floor with direct access to the indoor amenity area.

Residential pedestrian access to the building is proposed on the north side of Colborne Street near the Church Street intersection and through the vehicular access at Church Street. Access to the retail uses are proposed on the south side of King Street East and the north side of Colborne Street, both near the Church Street intersection and on both sides of the vehicular access on Church Street.

The applicant is also proposing to plant six trees along Church Street in the City owned right-of way. There are no trees proposed along King Street East or Colborne Street.

Attachments 1 and 2 show the proposed site plan and building elevations. For a summary of the application details please refer to the Application Data Sheet in Attachment 4.

### **Site and Surrounding Area**

The site is an L-shaped lot with a 13 metre frontage on King Street East, approximately 60 metres on Church Street and approximately 46 metres on Colborne Street. The site area is approximately 1,712 square metres. Currently, the site is used as commercial surface parking. There is also a recently constructed, temporary, condominium sales pavilion on the site. There is an existing 4.63 metre wide private laneway located in the middle of the Church Street frontage that divides the site. The site is located in the St. Lawrence Market Neighbourhood Business Improvement Area.

The following uses surround the site:

North: across King Street East to the north of the site is a 17-storey mixed-use building, which steps down to 8 storeys at the corner of Church Street and King Street East.

West: directly adjacent to the west of the site is a 5-storey commercial building with retail at grade located at 95 King Street East. On the south side of the private lane, with frontage on Colborne Street, are a surface parking lot and a 3-storey commercial building at 17 Leader Lane. Further west is an 18-storey hotel building (Le Meridian King Edward) which is subject to an approved application to redevelop floors 3-5 of the building for residential condominiums (file # 10 189761 STE 28 SA).

East: east of the north portion of the site across Church Street is a restaurant in a three storey building with a sidewalk café along Church Street, beyond which are 3-storey commercial buildings fronting on to King Street East. To the south of the King Street East commercial buildings are 9-storey mixed-use buildings and a courtyard comprising the Market Square development (35 Church Street and 80 Front Street East).

South: across Colborne Street to the south of the site are 4-storey designated heritage buildings and a 9-storey mixed use building with retail at grade at the southwest corner of Church and Colborne Streets (30 Church Street).

### **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 Official Plan places the subject site within the Downtown and Central Waterfront urban structure area. The site is designated "Mixed Use Areas" on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings provide a

transition between areas of different intensity and scale including a stepping down of heights towards lower scale neighbourhoods; that shadow impacts be minimized; that an attractive safe and comfortable pedestrian environment is provided; and that transit services are in proximity and accessible to the site.

The application will also be reviewed for compliance with other relevant policies in the Official Plan including The Built Environment (Section 3.1), Heritage Resources (Section 3.1.5) and Height and/or Density Incentives (Section 5.1.1).

The Toronto Official Plan is available through the City's website at: [www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

### **Other Applicable Policies**

The site is located within the boundaries of the St. Lawrence Neighbourhood Focused Area Urban Design Guidelines and the St. Lawrence Neighbourhood Community Improvement Plan. Staff will review the proposal to ensure it is consistent with the urban design guidelines and the community improvement plan.

The St. Lawrence Neighbourhood Area Focused Urban Design Guidelines are available through the City's website at: [http://www.toronto.ca/planning/urbdesign/st\\_lawrence.htm](http://www.toronto.ca/planning/urbdesign/st_lawrence.htm)

The St. Lawrence Neighbourhood Community Improvement Plan is also available on the City's website at: <http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-9479.pdf>

The proposal will also be reviewed for conformity with the Design Criteria for Review of Tall Building Proposal guidelines which outline built form principles that are applied to the siting and design of such buildings. Among other criteria, these guidelines seek to reduce the impacts of the development on the adjacent area and encourage excellence in design.

The City's Design Criteria for Review of Tall Building Proposals study is also available on the City's website at: [www.toronto.ca/planning/urbdesign/index.htm](http://www.toronto.ca/planning/urbdesign/index.htm)

### **Zoning**

This site is zoned mixed-use (CR T4.0 C3.0 R4.0) in the City of Toronto's Zoning By-law No. 438-86. This allows for a number of commercial and residential uses including retail uses and an apartment building and permits a density of four times the lot area. A maximum height of 23 metres is permitted. There is a 44-degree angular plane measured from 16 metres above the Church Street property line. The zoning does not have angular plane provisions for the King Street East and Colborne Street frontages.

Site-specific by-law 1994-0653, which was approved by City Council on September 27, 1994, permits mixed-use development on the site. The by-law permits a residential gross floor area of 9,612 square metres, non-residential gross floor area of 7,413 square metres and a combined gross floor area excluding residential amenity area of 10,241 square

metres. The resulting density would be 5.95 times the lot area. This by-law permits a height of 26 metres and requires a setback of 0.9 metres on Colborne Street.

### **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 by staff (file #12 130079 STE 28 SA).

### **Tree Preservation**

There are no trees located on the subject site. There are two Honey Locust trees adjacent to the property in the City owned right-of-way. The tree located in the right-of-way along Church Street is proposed to be removed in order to develop the property. The existing tree located in the right-of-way along King Street East will be protected. The applicant has submitted an arborist report and a tree preservation plan which will be reviewed by Urban Forestry staff.

### **Reasons for the Application**

A rezoning application is required to permit the proposed 25-storey, 281 residential unit mixed-use development and establish the appropriate development standards. An increase in permitted height from 23 metres to 82.3 metres and an increase in permitted density from 4 times the lot area to 11.5 times the lot area are among the more significant changes to the Zoning By-law being requested by the applicant.

The proposal also requires an amendment because the proposed height of 82.3 metres penetrates the 44-degree angular plane measured from 16 metres above the Church Street property line.

The proposal also does not comply with the site-specific by-law 1994-0653, which permits mixed use development on the site, but in a prescribed built-form. The proposal does not fit within the building envelopes permitted by the site-specific by-law.

Building Division staff will provide a complete zoning review of the proposal identifying any other zoning provisions that the proposal does not comply with.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Functional Servicing and Stormwater Management Report
- Toronto Green Standard Checklist
- Stage 1 Archaeological Resource Assessment
- Tree Inventory and Preservation Plan Report
- Geotechnical Investigation
- Preliminary Pedestrian Wind Commentary
- Heritage Impact Assessment

- Transportation Impact Study
- Noise and Vibration Feasibility Study
- Sun/Shadow Study.

A Notification of Incomplete Application was issued on March 26, 2012 and identifies the outstanding material required for a complete application submission as follows: Pedestrian Level Wind Study and Planning Rationale.

### **Issues to be Resolved**

Planning staff cannot support this application in its current form. Among the issues of considerable concern to staff are the height of the base building, the height of the tower and inadequate building setbacks. However, the further processing of the application and a public consultation process are recommended in order to help determine the nature and extent of changes to the application that will be required. Planning staff will also require the resolution of the issues listed below.

1. consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan Policies, particularly with respect to the sections on mixed-use areas, built form and height and/or density incentives;
3. conformity with the St. Lawrence Neighbourhood Focused Area Urban Design Guidelines;
4. conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on transition in scale, massing, adjacency issues to heritage buildings, pedestrian realm and sustainable design;
5. other built form and massing issues including, but not limited to: sky view, light penetration, shadowing on the St. James Cathedral lands, adjacent parks and open spaces, privacy, wind mitigation and pedestrian realm weather protection;
6. adequacy of the proposed amenity space;
7. mix of unit sizes and lack of family-sized units;
8. traffic and neighbourhood parking impacts;
9. identification and securing of public benefits pursuant to Section 37 of the Planning Act should the proposal be recommended for approval.

### **Toronto Green Standard**

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



impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

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

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

## **CONTACT**

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E-mail: [ateixei@toronto.ca](mailto:ateixei@toronto.ca)

## **SIGNATURE**

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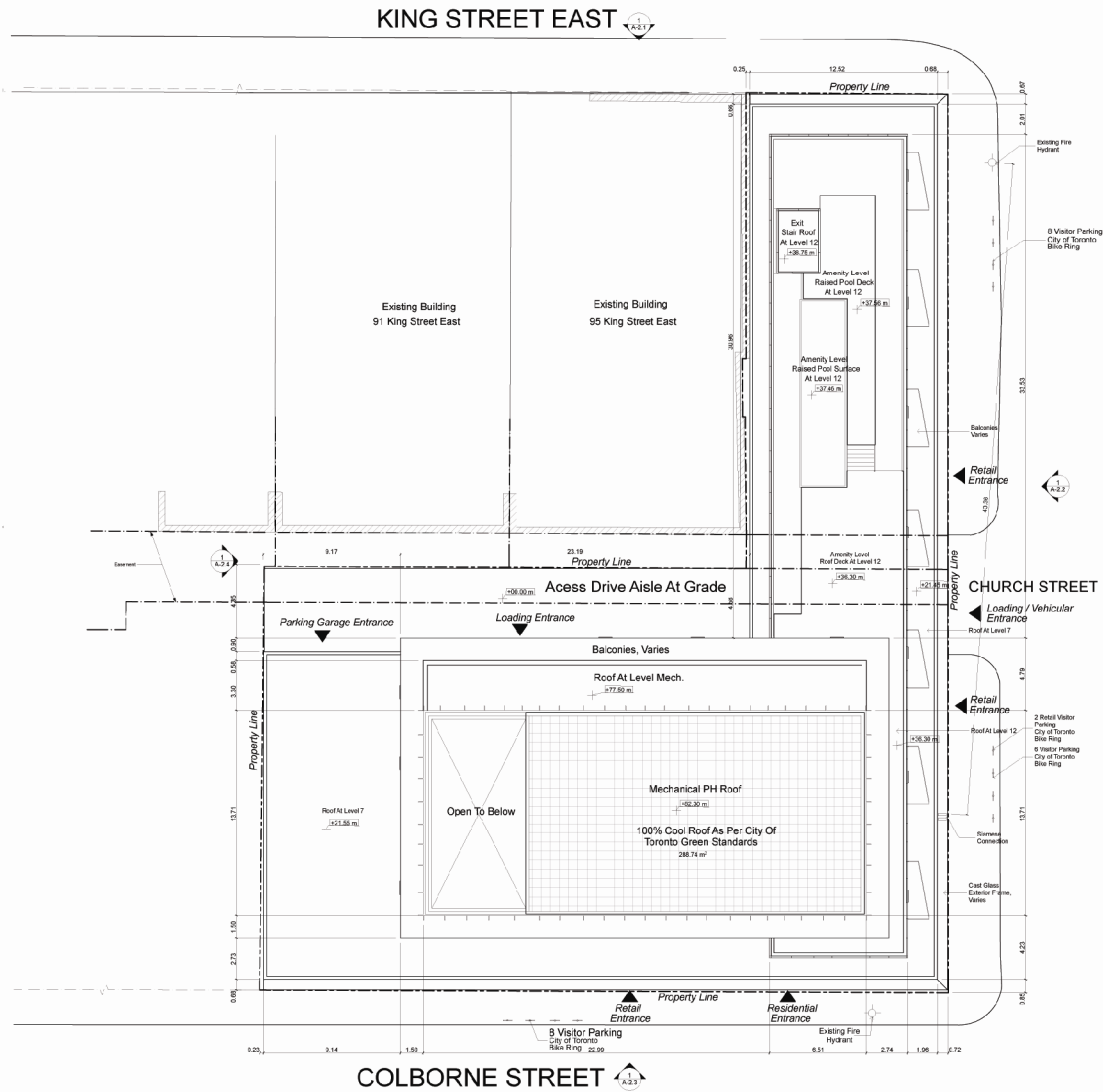
Gregg Lintern, Director , MCIP, RPP  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: North Elevation  
Attachment 2b: South Elevation  
Attachment 2c: East Elevation  
Attachment 2d: West Elevation  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

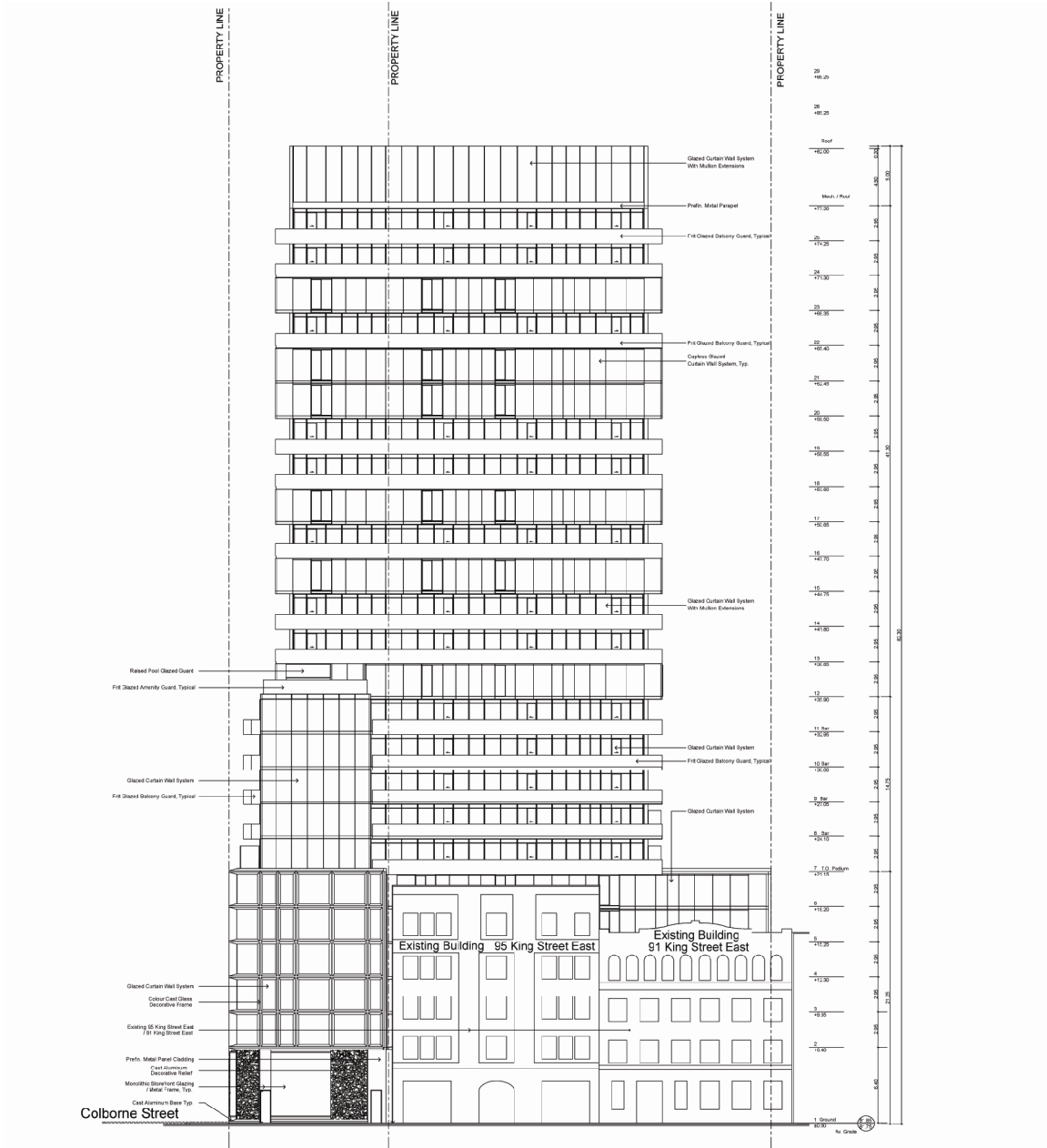
Not to Scale  
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101 King Street East  
54-70 Colborne Street

File # 12\_130075\_02

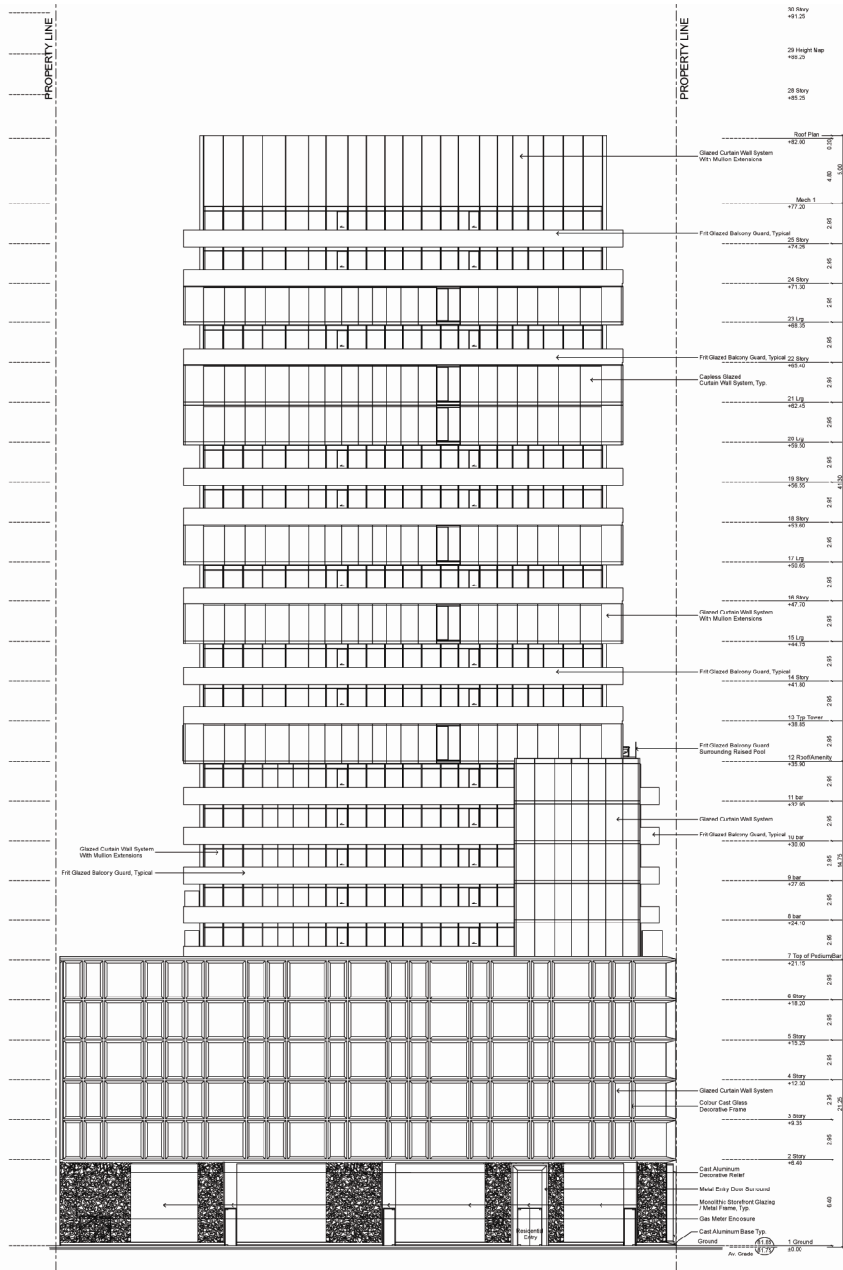
# Attachment 2A: North Elevation



**North Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/20/2012

**101 King Street East**  
**54-70 Colborne Street**  
 File # 12\_130075\_02

# Attachment 2b: South Elevation



## South Elevation

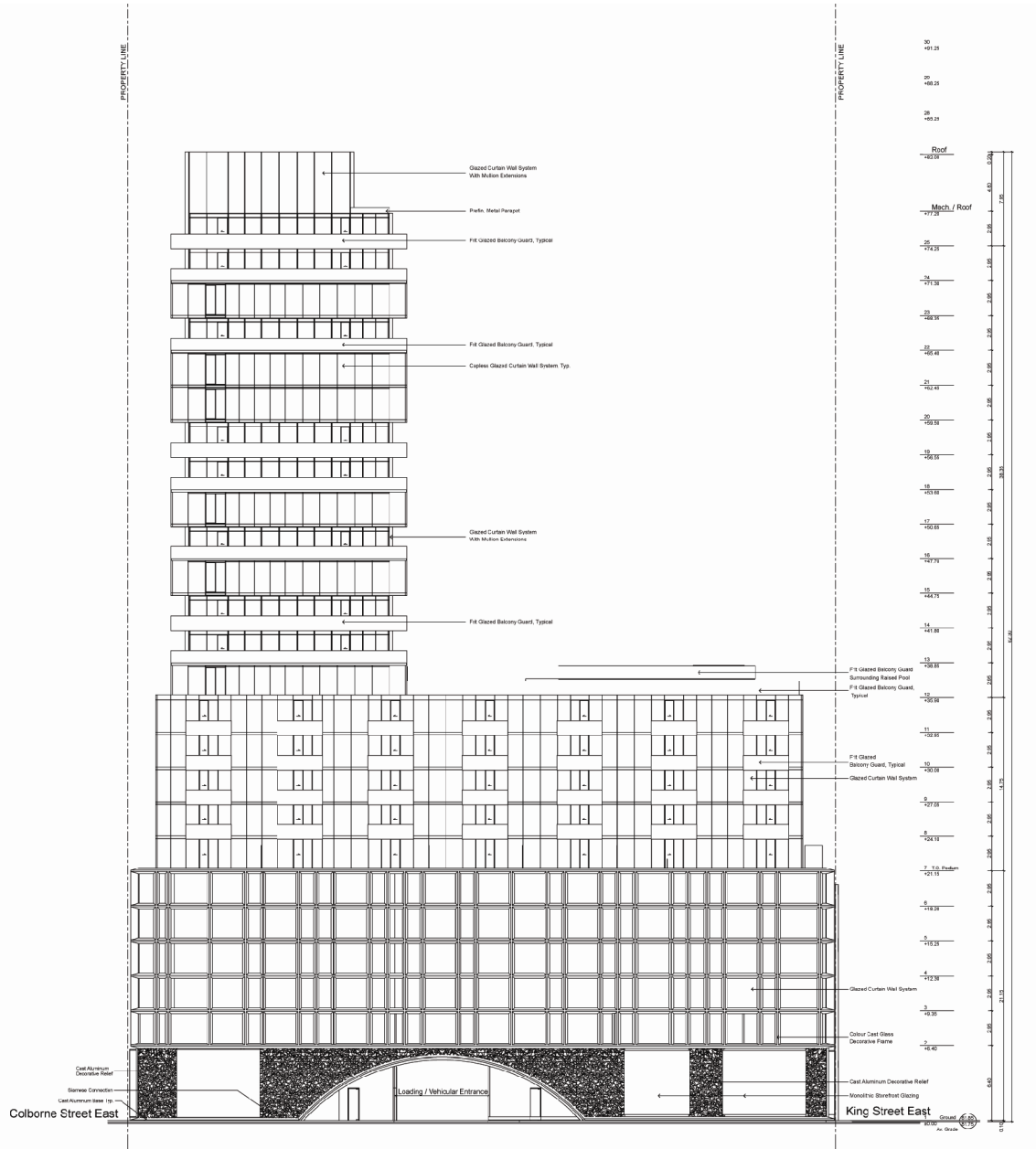
Applicant's Submitted Drawing

Not to Scale  
03/20/2012

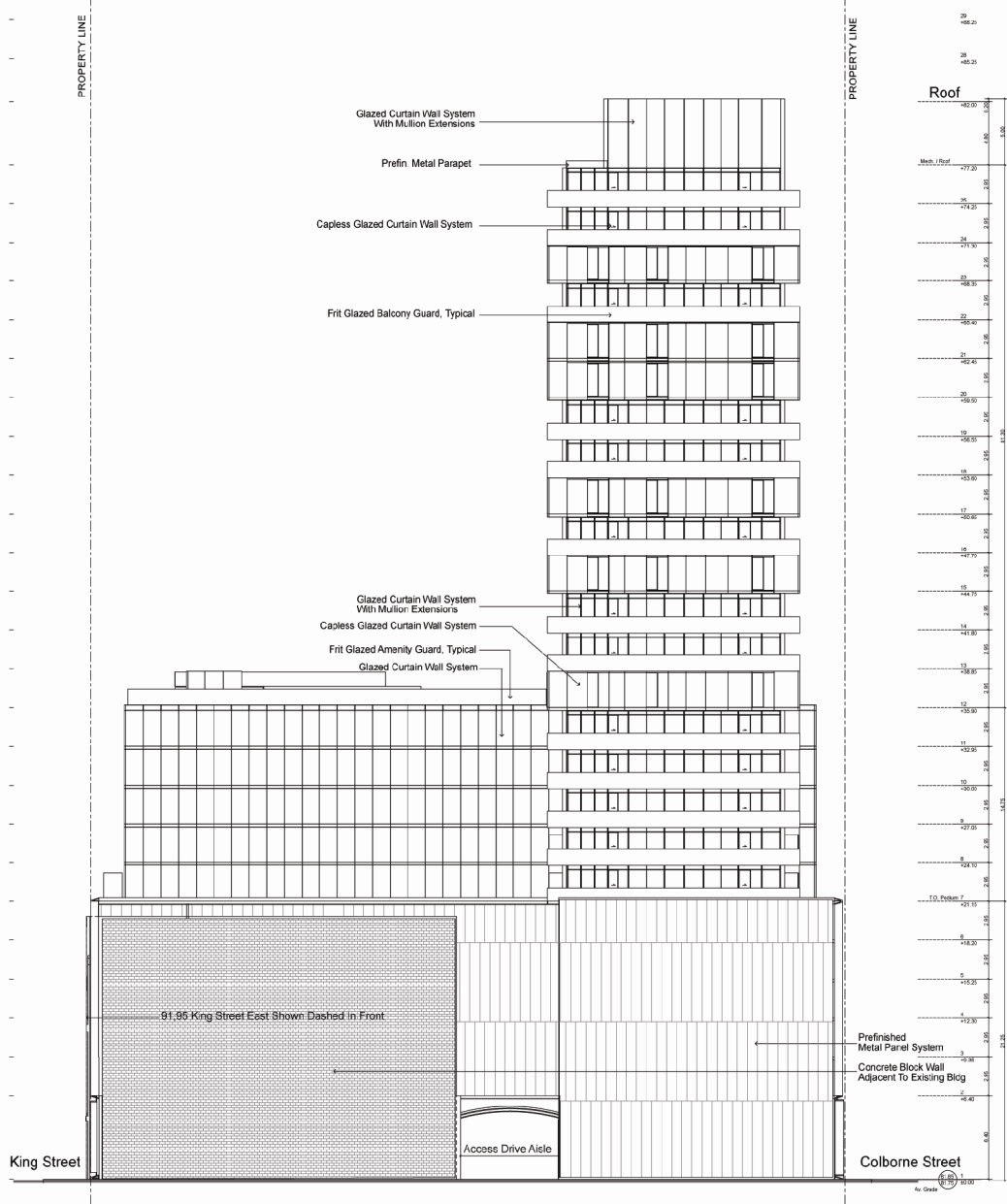
101 King Street East  
54-70 Colborne Street

File # 12\_130075\_02

# Attachment 2c: East Elevation



## Attachment 2d: West Elevation



### West Elevation

Applicant's Submitted Drawing

Not to Scale  
03/20/2012

**101 King Street East**  
**54-70 Colborne Street**

File # 12\_130075\_02



## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 130075 STE 28 OZ
Details	Rezoning, Standard	Application Date:	February 29, 2012

Municipal Address: 101 KING ST E, 54-70 COLBORNE STREET

Location Description: PLAN TOWN OF YORK PT LOT A RP 66R13309 PART 1 \*\*GRID S2810

Project Description: Proposal to construct a 25 storey, 77.3 metre (82.3 metres including mechanical penthouse) mixed-use building including 281 residential condominium units and 890 square metres of commercial uses at grade. The proposal also includes five levels of below-grade parking with 186 vehicle parking spaces. Also see site plan application 12 130079 STE 28 SA.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ADAM J BROWN, SHERMAN BROWN DRYER KAROL, 5075 YONGE ST, SUITE 900, M2N 6C6		ARCHITECT ALLIANCE, 205-317 ADELAIDE ST. W, TORONTO, ON M5V 1P9	FREED (KING CHURCH) INVESTMENTS LTD, 552 WELLINGTON ST W, PENTHOUSE SUITE 1500, TORONTO, ON M5V 2V5

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y By-law No 1994-0653
Zoning:	CRT4.0 C3.0 R4.0	Historical Status:	N
Height Limit (m):	23 (26 in site specific by-law)	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1712.1	Height:	Storeys:	25
Frontage (m):	45.7		Metres:	82.3
Depth (m):	59.8			
Total Ground Floor Area (sq. m):	1168.6			<b>Total</b>
Total Residential GFA (sq. m):	18810.1		Parking Spaces:	186
Total Non-Residential GFA (sq. m):	889.5		Loading Docks	1
Total GFA (sq. m):	19699.6			
Lot Coverage Ratio (%):	68			
Floor Space Index:	11.5			

### DWELLING UNITS

		FLOOR AREA BREAKDOWN (upon project completion)	
Tenure Type:	Condo	Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	18810.1
Bachelor:	87 (31%)	Retail GFA (sq. m):	889.5
1 Bedroom:	141 (50%)	Office GFA (sq. m):	0
2 Bedroom:	53 (19%)	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	281		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Alex Teixeira, Planner</b>
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